K. Saint Christophers. Island of

1.

ACTS
OF
ASSEMBLY,
PASSED in the
Iſland of St. *Chriſtopher*;

From 1711, to 1735, inclusive.



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ACTS

OF THE

ASSEMBLY.

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TO THE

LAWS

OF

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THE LAWS OF St. *CHRISTOPHER*'s.

1711.

* *An Act for the eſtabliſhing Courts; and ſetting due Methods for the Adminiſtration of Juſtice in this Iſland.* № 1.

FORASMUCH as nothing can tend more to the Encouragement of Trade, or more effectually promote, in all Reſpects, the Proſperity and Reputation of this Iſland, than the Eſtabliſhment of ſuch Courts, wherein Juſtice may be ſteadily and conſtantly adminiſtred: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, *Walter Douglas* Eſquire, Governor in chief in and over all Your Majeſty's Leeward Carribbee Islands in *America*, the Lieutenant-governor, Council, and Aſſembly of this Iſland, pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is hereby enacted, That in this Iſland of St.

* This Act was repealed by an Act paſſed in 1724; but ſeveral Objections ariſing to that Act, it was not confirmed, but ordered to lie by probationary; therefore both Acts are printed. *Vide infra* in 1724.

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St. *Chriſtopher*'s ſhall be held a Court, which ſhall conſiſt of a Chief Juſtice, and four other Juſtices Aſſiſtants, to be commiſſionated from Time to Time by the Commander in chief of theſe Iſlands; which Juſtices ſo appointed, or any three or more of them, ſhall, and are hereby authorized to hear, try, and determine in the ſaid Court all Cauſes, Suits, and Proſecutions, to be commenced or now depending in this ſaid Iſland, with full and ample Power and Juriſdiction, according to the Laws and Cuſtom of *England*, and according to the Laws and Cuſtoms of this Iſland, having firſt taken the Oaths appointed by an Act of Parliament made in the firſt Year of the Reign of Her preſent Majeſty, together with this ſubſequent Oath; *viz.*

A Court to be held by a Chief Juſtice and 4 Aſſiſtants.

Their Oath.

YOU, A. B. *do ſwear upon the Holy Evangeliſt, That you will not deny or delay Juſtice to any Perſon; but with your utmoſt Diligence will perform the Office of Chief Juſtice or Judge; and to the beſt of your Skill will give Judgement, in all Matters by you to be determined, without Intereſt, Prejudice, or Affection.* *So help you God.*

Which Oath ſhall be adminiſtred to the Chief Juſtice by the Council of this Iſland, and to all or any of the Juſtices Aſſiſtants, either by the Council, or the Chief Juſtice himſelf on the Bench.

Places and times of holding the ſaid Courts.

II. AND it is hereby further enacted by the Authority aforeſaid, That the ſaid Courts ſhall be held alternately at the Leeward and Windward Diviſions of this Iſland on the ſecond *Tueſday* of the ſeveral Months of *March*, *April*, *May*, *June*, *July*, and *Auguſt*, and ſo to continue, or be adjourned, according to the Diſcretion of the ſaid Judges. Provided always, That all Adjournments ſhall be appointed to be held at the ſame Court-houſe, and within ten Days after ſuch Adjournment made.

Actions to be entered ten Days before the Court.

III. AND for the more regular Proceedings of the ſaid Courts, be it further enacted by the Authority aforeſaid, That all Entries of Actions in the Secretary's Office ſhall be at leaſt ten Days before the holding of each reſpective Court, excluſive of the Court-day; that in Actions of Accounts, Bonds, Bills, and *Aſſumpſits*, the Plaintiff ſhall be obliged to give the Defendant, or his Attorney, a Copy of his Account, or Charges, within three Days at leaſt after the Entering-days are over; and in all the aforeſaid Actions there ſhall be no Declaration at all, but that a Summons for the Defendant's Appearance, iſſued forth by the Chief Juſtice, or, in caſe of his Death, Sickneſs, or Abſence from this Iſland, by the next Juſtice in Commiſſion, ſhall be as effectual as an original; which ſaid Summons ſhall be made out in Manner and Form following; *viz.*

Defendant to be ſummoned to appear.

ANNE, by the Grace of GOD, &c. To the Provoſt-marſhal, greeting.

The Summons.

WE command you to ſummon A. B. *to be and appear at Our next Court of Queen's-bench and Common-pleas to be held for this Iſland, the Day of next, at then and there to anſwer* C. D. *in an Action of Hereof let him not fail, at his Peril.*

Witneſs E. F. *Our Chief Juſtice of Our ſaid Court, the Day of in the Year of Our Reign.*

That the Defendant, or his Attorney, muſt be ſummoned full ſix Days before the ſitting of the Court.

In Actions of Slander, &c.

IV. AND in all Actions of Slander, Ejectment, Dower, Covenant, Replevin, Detinue, Waſte, and Actions of Treſpaſs, ſhall be ſerved with a Copy of the Plaintiff's Declaration at the ſame Time; that in caſe the Summoner, whether

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whether Coroner, Marſhal, or Marſhal's Deputy, cannot find the Defendant, or his Attorney, a Note left at their uſual Abode, mentioning the Plaintiff's and Defendant's Names, and the Day and Place where the Court is to be held, ſhall be as effective as a perſonal Summons. Declaration to be delivered.

V. THAT if a Defendant that is abſent from this Iſland, having made no Attorney, hath Effects upon the Iſland, ſuch Effects ſhall be as liable to the Plaintiff's Suit, if the Contract was made in this Iſland, as if the Defendant had appeared; and in ſuch caſe, one Summons left at the Defendant's laſt Place of Abode, and another nailed up at the Court-houſe Door, ſhall be deemed ſufficient Service; but if the Defendant that is ſo abſent, having left no Attorney, hath a Freehold, then ſhall one Summons be upon his Freehold, and another nailed up at the Court-houſe Door. Defendant's Effects liable, if the Contract was made in the Iſland.

VI. AND be it further enacted by the Authority aforeſaid, That if Default be made by the Defendant at the ſecond Court, Judgement ſhall be given againſt him, as by *Nihil dicit*. Provided always, That no Executions upon Judgement entered upon a *Nihil dicit*, where the Defendant is known to be abſent from the Iſland, ſhall iſſue until the next enſuing Court; any thing in this Act mentioned to the contrary thereof notwithſtanding. And if at the Court the Defendant, or his Attorney, ſhall make it appear to the Court, that he was really abſent from the Iſland, but that he hath good Matter to plead in diſcharge of the ſaid Action, either by Payment, or otherwiſe, that then the Defendant ſhall be admitted to ſuch Remedy, the ſame to try; but if no ſuch Matter clearly appear to the Court, then Execution to iſſue immediately: And that in all Judgements by Default, on the Plaintiff's making out his Cauſe of Account to the Court by lawful Evidence, the Court ſhall adjuſt the Debt or Damages with Coſts, as if a Writ of Enquiry had been thereupon executed. Judgement to be given upon Default at the ſecond Court.

VII. PROVIDED nevertheleſs, That if Judgement by Default ſhall be given againſt a Defendant that is actually abſent from this Iſland, and hath left or made no Attorney; the Plaintiff ſhall give ſuch Security as the Court ſhall think fit, to refund, if the Defendant or his Attorney ſhall, within two Years from the Date of the Judgement, make it appear that there was not ſo much due as the Judgment was given for. Proviſo.

VIII. PROVIDED likewiſe, That if ſuch Defendant be an Infant, impriſoned, *Non compos mentis*, or in *Europe*, in ſuch caſes no ſuch Perſon ſhall be barred; but the Infant may at any Time, by his Guardian, or within one Year after his own coming to the Age of Twenty one Years, and ſuch other Perſon may, within one Year after his Liberty from Impriſonment, his coming to found Memory, or his returning to this Iſland, have Liberty, by themſelves or Attornies, to commence his or their Suit for all ſuch Judgements ſo obtained; any Law, Uſage, or Cuſtom to the contrary notwithſtanding. Clauſe in favour of Infants, &c.

IX. AND be it further enacted by the Authority aforeſaid, That upon every Joinder in Demurrer the Judges may appoint a Day to hear it argued, not exceeding fourteen Days from the Day of ſuch Joinder; and that all iſſuable Pleas, to avoid unneceſſary Delays, ſhall be tried, if conveniently they may, the ſame Court they are pleaded; but the Judges however may, upon reaſonable cauſe, adjourn any Plea to the next Court, and no longer: That upon any ſpecial Plea or Demurrer, the Plaintiff be obliged to file his Replication or Rejoinder ſeven Days at leaſt before the ſitting of the next Court; that if the Defendant pleads ſpecially, he ſhall file ſuch Plea twelve Days, incluſive, before the ſitting of the ſecond Court, or elſe be obliged to plead the general Iſſue; and that immediately after Judgement, at the Requeſt of him, for whom it was given, or his Attorney, the Chief Juſtice, or in caſe of his Sickneſs or Abſence from the Iſland, the next Juſtice named in the Commiſſion, ſhall grant Execution in Manner and Form following: Plaintiff to file his Replication 7 Days before the next Court.

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St. CHRISTOPHER's.

ANNE, &c. To Our Provoſt-marſhal of Our Iſland aforeſaid, or to his lawful Deputy, greeting.

Form of an Execution.

WHEREAS at Our Court of Queen's-bench and Common-pleas, held at Judgement was obtained againſt at the Suit of for These are therefore to command you to levy on the Goods and Chattels, Lands and Tenements of the ſaid to ſatisfy the ſaid Debt and Coſts; that is to ſay, Firſt on Tobacco, Cotton, Ginger, Indigo, Sugar, or any other Goods or Merchandizes of the Growth and Manufacture of this Iſland, or other Merchandizes; and on your finding no ſuch Goods, to levy the ſaid Debt, &c. then upon the Houſhold-goods and Furniture of ſaid Houſes; for want of which, to levy the ſaid Debt, &c. upon the Cattle, Horſes, Aſſes, Mules, and other Plantation-utenſils; for want of which, you are to levy the ſame on ſaid Slaves; and on your finding no ſuch Slaves, Goods, and Chattels, you are to levy the ſame by the Sale of ſaid Lands and Tenements; all which Sales or Levies ſhall be made by Appraiſement or publick Outcry, as the ſaid Defendant ſhall think fitting; and finding no ſuch Goods and Chattels, Lands or Tenements, then you are hereby commanded to attack the Body of the ſaid and him in ſafe Cuſtody to keep until the ſaid Debts, &c. with Coſts, ſhall be ſatisfied; and that you have this Writ duly executed at Our next Court of Queen's-bench and Common-pleas to be held for this Iſland at the Day of Witneſs Chief Judge of Our ſaid Court, this Day of in the Year of Our Lord and in the Year of Our Reign.

Proviſo.

X. PROVIDED nevertheleſs, That no Writ of Execution ſhall iſſue forth or be ſerved between the laſt Day of the Month of *Auguſt*, and the firſt Day of the Month of *March*, in each reſpective Year.

XI. AND whereas the foregoing Form of Execution does allow Lands and Tenements, for want of other perſonal Eſtate, to be levied and ſold, in regard the way uſed in *England*, by Extent upon Lands for the Satisfaction of Creditors, can very rarely be well practiſed here, by reaſon of the tedious and ſlow Proceedings therein, to the Diſcouragement of Trade, and the great Diſburſements the Plaintiff muſt commonly be at in ſtocking the Lands delivered to him, before he can reap Satisfaction: To the Intent however that the Defendant may be allowed all reaſonable Means for reſerving his Inheritance, it is declared and enacted by the Authority aforeſaid, That where Judgement ſhall at any Time be had againſt a Defendant, whoſe Lands or Tenements are or can be ſet and let out at ſuch a yearly Rent, as will in a Time certain, not exceeding five Years, ſatisfy and pay the Plaintiff his full Debt and Coſts, and five *per Cent.* Intereſt for ſuch Part as ſhall ſtill remain unpaid; in ſuch caſe the Law and Method of Extents in *England* ſhall be of full force, and put in Practice here. Provided always, That the Plaintiff ſhall not be obliged to take ſuch Lands at a reaſonable Extent; but where Lands are not already let out before Judgement obtained, then it ſhall lie upon the Defendant to find a Tenant within thirty Days after Judgement obtained, who will anſwer the aforeſaid Intent and Deſign of this Act.

In what Caſes the Method of Extents may be put in practice.

XII. AND

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XII. AND be it further enacted by the Authority aforeſaid, That where a Jury Action ſhall be depending, and a Verdict given, each and every of the ſaid Jurymen being upon the ſaid Jury, and before the Verdict be delivered, ſhall receive from the Marſhal the Sum of one Shilling and ſix Pence, to be paid out of his Fees. Juryman's Fee.

XIII. AND be it further enacted by the Authority aforeſaid, That it ſhall be in the Power of the Judges in Court, when they ſhall perceive that in all Probability the Defendant hath no Effects, or not ſufficient to ſatisfy the Debt, with Coſts, to grant a *Capias ad ſatisfaciendum* immediately upon the Judgement. A *Capias*, &c. to be granted upon Judgement, if Defendant has not Effects.

XIV. AND be it further enacted by the Authority aforeſaid, That if thoſe Things that are taken in Execution, ſuffer an Appraiſement, the Appraiſer's Oath ſhall be adminiſtred by the Judge who ſigned the Execution, or, in his Abſence, by the next in Commiſſion; which Oath ſhall run thus:

YOU, A. B. *ſwear upon the Holy Evangeliſt, That you will appraiſe the Goods,* &c. *to be ſhewn you, without Partiality. So help you God.* Appraiſer's Oath.

That if Goods, Chattels, Lands, or Tenements be taken in Execution, the Marſhal, or other lawful Seizer, ſhall immediately put up a Publication for Appraiſement of the ſame, or Sale by publick Outcry; if for Valuation or Sale of Lands, at the End of eighty Days; if for Negroes, at the End of twenty eight Days; if for Cattle, Plantation-utenſils, or any other Goods or Chattels, at the End of ten Days; which if appraiſed, ſhall be by four, two of which ſhall be Planters, and the other two, Merchants or Tradeſmen, by Warrant from the Chief Juſtice, or, in his Abſence, by the next in Commiſſion; and if any Appraiſer ſhall refuſe to act after ſuch Warrant ſerved on them, he ſhall forfeit the Sum of Five Pounds current Money; to be levied, recovered, and applied, as in this Act hereafter expreſſed.

XV. PROVIDED nevertheleſs, That if Security be given to the Marſhal, or other lawful Seizer, in double the Value of the Judgement or Sum mentioned in the Execution, all Perſons, whoſe Lands, Negroes, or Goods, or the like, ſhall be ſeized thereby, ſhall have the Allowance of the Times aforeſaid for redemption thereof; and the ſaid Lands, Negroes, or Goods ſo taken, ſhall remain in the Cuſtody, and to the Uſe of the Party or Parties, in whoſe Hands they were ſeized, till the Days of Redemption are expired; any thing in this Act, or any other Law of this Iſland to the contrary notwithſtanding. Proviſo

XVI. AND be it further enacted by the Authority aforeſaid, That if the Marſhal, or other Officer impowered to ſeize and ſell, as aforeſaid, ſhall refuſe to ſign and ſeal a Bill of Sale, according to ſuch Eſtate as is found to be in the Defendant, to the Plaintiff, or other Purchaſer, he ſhall forfeit double the Value of the Things appraiſed or ſold; to be levied, recovered, and applied, as in this Act is hereafter expreſſed: That ſuch Bills, or Deeds of Sale, which the Marſhal is obliged to ſign and ſeal, being filed, either of Lands and Tenements, or Negroes, Goods, and Chattels, in the Secretary's Office, ſhall be valid to the Plaintiff, his Heirs and Aſſigns, againſt the Defendant, and all others claiming from, by, or under him, by any Deed or other Conveyance, ſubſequent to the Judgement whereon ſuch Sale is founded: That the Overplus, upon Appraiſement or Outcry, if there be any, ſhall be returned to the Defendant within ten Days after Appraiſement or Outcry; and that the Defendant be at the whole Charge of levying the Execution: And if Sugar, Cotton, Indigo, Tobacco, Ginger, or other heavy Merchandize, be taken in Execution in the Country, the Defendant ſhall be required, at his own Charge, to carry the ſame to the neareſt Town, againſt the Day of Sale or Appraiſement; which if he ſhall neglect or refuſe to do, the Marſhal, or his Deputy, is hereby authorized and required to hire Cattle or other Carriage for that Penalty on Marſhal refuſing to ſign a Bill of Sale, &c.

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Purpoſe, and place its reaſonable Coſts to the Defendant's Account; all which Charges ſhall be adjuſted by the Chief Judge, or, in caſe of his Sickneſs or Abſence, by the next in Commiſſion.

Depoſitions when to be taken.

XVII. AND be it enacted by the Authority aforeſaid, That the Depoſitions of Perſons, whoſe Abſence may probably be occaſioned by Sickneſs, or being bound off this Iſland, ſhall be eſteemed in all Civil Actions as good Evidence, in caſe they are taken by either Judge of the Court, with two Days notice to the Party, or his Attorney, againſt whom the Depoſition is made: And that all Perſons having Actions brought againſt them, and be thereupon acquitted by Verdict, ſhall have the ſame Coſts of Suit, as if Judgement had been given againſt the Plaintiff by a Verdict which acquitted all the Defendants.

Jury to be ſummoned ſix Days before the ſitting of the Court.

XVIII. BE it further enacted by the Authority aforeſaid, That ſix Days before the ſitting of each Court, *Venire facias*, ſigned by the firſt commiſſionated Judge, ſhall iſſue forth, to ſummon good and ſufficient Men to appear and ſerve as Jurymen; and in caſe any Perſon returned to be a Juror, ſhall not appear at the Time of Trial, or after Appearance ſhall withdraw himſelf from the ſaid Service without lawful Excuſe, to be allowed by the Court, every ſuch Perſon ſhall forfeit the Sum of Two Pounds current Money; and in caſe enough do not appear to make up a Jury, a tale of the ſtanders by ſhall be returned by the Marſhal, either of whom refuſing to ſerve, ſhall forfeit the like Sum of Two Pounds.

When the Court may determine Cauſes without a Jury.

XIX. AND be it further enacted by the Authority aforeſaid, That this Court ſhall have Power to hear and determine, without a Jury, all manner of Actions, not demanding Debt or Damages, above the Value of ſix Pounds current Money, or one thouſand Pounds of Sugar; and likewiſe all Caſes relating to Servants Wages, or Debts due to Artificers, for Work done, not exceeding two thouſand Pounds of Sugar, or twelve Pounds current Money.

Penalty on Perſons practiſing the Law before admitted.

XX. AND be it enacted by the Authority aforeſaid, That if any Perſon ſhall preſume to plead or practiſe Law in the ſaid Courts, or give Advice in any Law Affairs whatſoever, for Fees, Preſents, or Rewards, until he firſt qualify himſelf, by taking the ſeveral Oaths and Teſt appointed by Act of Parliament, together with this following Oath, and be regularly admitted by the ſaid Court, he ſhall forfeit the Sum of Fifty Pounds current Money; half which ſhall be to Her Majeſty, Her Heirs and Succeſſors, towards defraying the publick Charges of this Iſland, and the other Half to the Informer; to be recovered as in all Actions, *Qui tam pro Domina Regina, quam pro ſeipſo*, &c. and that the Oaths to be taken ſhall be adminiſtred either by the Governor in chief, Lieutenant-governor, or Preſident of the Council in Council, or by the Chief Juſtice in Court; which Oath ſhall be given in theſe Words, *viz.*

Lawyer's Oath.

YOU, A. B. *do ſwear upon the Holy Evangeliſt of Almighty God, to do no Falſhood, nor conſent to any to be done in this Court; and if you know of any to be done, to give Notice thereof to the Judge and his Aſſiſtants, that it may be reformed: To delay no Man for Lucre or Malice: To plead no Foreign Plea; nor ſue Foreign Suits unlawfully, to hurt any Man; but ſuch as ſtand with the Order of Law, and your own Conſcience: Not wittingly or willingly to ſue, cauſe, or procure to be ſued any falſe Cauſe or Suit, or give Aid or Conſent to the ſame, upon pain of being expelled this Court for ever; and further to demean yourſelf in the Office of Attorney within this Court, according to your Learning and Diſcretion.* *So help you God.*

A Certificate of the taking all the ſaid Oaths and Teſt muſt be firſt filed in the Secretary's Office, before any Perſon ſhall be reckoned and eſteemed duly qualified and admitted.

XXI. AND whereas infinite Cauſes are loſt or delayed for want of good and orderly pleading, and the honeſt Trader or Planter muſt be at very great Diſad-

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Diſadvantage to declare his Right, who is not acquainted with the Methods or Practice of the Law, ſhould a Lawyer be admitted to plead againſt him, to take Exceptions againſt the Form or Manner of his pleading: To obviate therefore the Miſchiefs that may ariſe thereby, it is enacted by the Authority aforeſaid, That no Lawyer ſhall argue in Court for Plaintiff or Defendant, where another cannot be had in this Iſland on the other Part; any Law or Cuſtom to the contrary notwithſtanding.

Not to plead in any Cauſe where another cannot be had.

XXII. And if there be but two Lawyers, and both ſhall be retained by one Party, the Court ſhall aſſign one of them, upon reaſonable Requeſt made to them, to the other Party; and the Council ſo aſſigned, ſhall return the Fee he received from his firſt Client, and accept the uſual Fee from the Perſon to whom he is aſſigned, and whoſe Cauſe he ſhall plead, having reſpect to his Oath.

Where there are but two, Court may aſſign one to each Party.

XXIII. And be it further enacted by the Authority aforeſaid, That no Secretary, or Clerk of the Courts, by himſelf or Deputy, ſhall enter the Declarations, Pleas, or Proceedings of the Courts, otherwiſe than in bound Books, for that Purpoſe to be provided, and to be entered in Words at length, on Penalty of One Hundred Pounds current Money; and the Secretary's or Clerk's Fees for ſuch Entries ſhall be paid by the Plaintiff, and allowed in Coſts; and that all Writs of *Scire facias* ſhall be ſerved at leaſt four Days before the ſitting of each reſpective Court.

Clerk to enter Proceedings in bound Books, &c.

XXIV. And be it further enacted by the Authority aforeſaid, That all Contempt and Miſbehaviour of any Perſon in open Court, by demeaning himſelf rudely, inſolently, or giving unhandſome and provoking Language in the hearing of the Court; and all extraordinary Neglects, or other Offences of Coroner's, Marſhal's, Marſhal's Deputy, Clerks, or other Officers of the Court in their ſeveral Offices, ſhall be puniſhed by fine, at the Diſcretion of the Court; and that all the Fines to be impoſed in Purſuance of this Act, as likewiſe all Fees belonging to any of the Officers of the ſeveral Courts, be levied and recovered by Attachment, to be ſigned by the firſt Judge upon the Bench, without any other Suit, Eſtreatment, or Proſecution whatſoever.

Penalty on Miſbehaviour in Court.

XXV. And be it further enacted by the Authority aforeſaid, That all Titles by Ejectment may be brought to trial in feigned Names; and that all Writs of *Habere facias Poſſeſſionem*, be executed as uſually in *England*; any thing in this Law, or any other Law of this Iſland to the contrary notwithſtanding.

Titles by Ejectment may be tried in feigned Names, &c.

XXVI. And be it further enacted by the Authority aforeſaid, That every Marſhal's Deputy, or Clerk of the Court, that ſhall preſume to officiate, plead, or adviſe, as a Counſellor or Attorney at Law, ſhall forfeit Fifty Pounds current Money; to be levied by Attachment, as aforeſaid.

Penalty on Clerk, &c. practiſing the Law.

XXVII. And be it further enacted by the Authority aforeſaid, That no Perſon, who is Owner either of fifteen Acres of Lands, or of ten Slaves, or of a Houſe in Town worth ten Pounds by the Year, ſhall be liable to a *Capias ad reſpondendum*, but in all Actions brought againſt them ſhall be obliged to anſwer by Summons; and that all other Perſons ſtand and be liable to a *Capias*; and that all thoſe who, to prevent the Suit, ſhall ſend their Slaves or other Effects off the Iſland, and by ſuch Exportation give the Chief Juſtice Occaſion to miſtruſt it is done with Deſign to defraud his Creditor, ſtand and are liable immediately to an Arreſt of Body.

Perſons liable to Arreſts.

XXVIII. And foraſmuch as by the conſtant Uſages of this Iſland no Writs of Error, or Appeals in the nature of Writs of Error, have been allowed iſſuable or determinable, unleſs where the original Cauſe of Action amounted to the Value of three hundred Pounds current Money: And foraſmuch as the Governor in chief doth often happen to be abſent from this Iſland, whereby thoſe that are juſtly intitled to Writs of Error or Appeals, may loſe the Advantage of ſuch Relief: Be it therefore enacted by the Authority aforeſaid, That

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Clauſe to regulate Writs of Error.

That the chief Governor ſhall at all Times be humbly requeſted to ſubſtitute and appoint the Lieutenant-governor, or Preſident of the Council for the Time being, to receive and hear Appeals and Writs of Error, in caſe of his Abſence from this Iſland; and that all Writs of Error to reverſe any Judgement given by the ſaid Court, ſhall be granted and ſigned by the chief Governor, or, in his Abſence from this Iſland, by the Lieutenant-governor, or Preſident of the Council for the Time being, ſo ſubſtituted by the chief Governor, as aforeſaid; either of whom, with four or more of the Council, are hereby authorized and impowered to hear, try, and determine all Errors or Appeals from this Court, in all Cauſes exceeding the Sum or Value of one hundred Pounds current Money of this Iſland; and in all ſuch Cauſes exceeding the Sum or Value of five hundred Pounds *Sterling*, the Party may, if he remain ſtill unſatisfied with the Judgement of the Governor and Council, appeal further to Her Majeſty, and Her Privy Council, according to the Liberty and Directions given by Her Moſt Sacred Majeſty, in Her Inſtructions to Her chief Governor; and that Errors be aſſigned, before the granting ſuch Writs; and that all Appeals in the nature of Writs of Error, be granted, upon reaſonable Requeſt, by the ſaid Court of Queen's-bench, *&c.* and that inſtead of a *Certiorari*, a Warrant from the chief Juſtice, or, in his Abſence, by the next in Commiſſion (upon the Plaintiff in Error, giving in Security in double the Value) ſhall oblige the Clerk of the Courts to return a Tranſcript of the Record before the Judges in Error aforeſaid; and that Judgement be given upon the Errors or Appeals within one Month after the Aſſignment of the Errors, and Certification of ſuch Records.

XXIX. AND be it further enacted by the Authority aforeſaid, That the ſaid Judges of Errors ſhall, before they proceed to hear and determine any Errors or Appeals, ſo to be brought before them, take the following Oath; which they, or either of them, are hereby authorized to adminiſter to one another; *viz.*

Judges Oath.

YOU, A. B. *do ſwear upon the Holy Evangeliſt, That in all Errors or Appeals to be now brought before you, you will not deny or delay Juſtice to either Party; but to the beſt of your Skill give Judgement thereupon.*

Security to be given in double the Value.

XXX. AND it is alſo declared and enacted, That Security in double the Judgement ſhall be given upon Writs of Error and Appeals in all other Actions as well as Debt; any Uſe or Statute to the contrary in any otherwiſe notwithſtanding.

Penalties how to be applied.

XXXI. AND be it further enacted by the Authority aforeſaid, That all the Fines, Forfeitures, and Penalties ariſing by virtue of this Act, and not particularly therein expreſſed how they are to be applied, ſhall be put to the Uſes following; that is to ſay, the one Moiety ſhall go towards the defraying the contingent Charges of the reſpective Courts, in which they were impoſed or forfeited; and the other Moiety toward the building, repairing, and maintaining of Priſons; to be lodged in the Hands of the Treaſurer, for the Uſes aforeſaid.

1711.

An Act for the better Government of Negroes, and other Slaves.

WHEREAS the Behaviour of Negroes, and other Slaves on this Iſland, has of late, and particularly ſince the War, been more inſolent, and their Villanies more frequent and notorious, than ever heretofore: Therefore, for their better Government for the future, We, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, the Lieutenant-governor, and Council of St. *Chriſtopher*'s, together with the Aſſembly of the ſame, humbly pray Your Moſt Excellent Majeſty that it may be enacted and ordained; and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That from and after the Day of the Date of this Act, it ſhall and may be lawful for any Juſtice of the Peace of this Iſland, upon Complaint made to him of any Felony, or other Crime committed by any Negro, or other Slaves whatſoever, on this Iſland, to iſſue out his Warrant for apprehending of the Offender or Offenders, and him or them, within the Term of three Days after his or their being in Cuſtody, taking to his Aſſiſtance one other Juſtice of the Peace, near the Place where the Offence ſhall be commmitted, without a Jury, to hear, examine, try, award, and appoint Pains, Penalties, and inflict, or cauſe Execution to be done, as to Life or Limb, or other Puniſhment, by Warrant under their Hands and Seals, in which they are to regulate themſelves to the known Laws and Practice of the Courts in *England*, in all Criminal Caſes; any Statute, Law, or Uſage to the contrary notwithſtanding.

Juſtices to try Negroes without a Jury.

II. AND be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever do, by Force or Perſuaſion, carry off from this Iſland any Negro, or other Slave, other than his own, or ſuch as he or they may be lawfully intereſted in, or poſſeſſed of, he ſhall be guilty of Felony, and be debarred the Benefit of Clergy.

Carrying off other Perſons Negroes, Felony.

III. AND be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall preſume, by themſelves, or others under him or them, to trade, traffick, or deal with any Negro, or other Slaves, for Sugar, Syrrup, Moloſſes, Indigo, Tobacco, Ginger, Cotton, Copper, Braſs, Pewter, or any other Goods, Merchandize, or any Stock or Poultry whatſoever, without the Knowledge or Conſent of the ſaid Maſter or Owner of ſuch Negro, or other Slave or Slaves, ſignified by a Note in writing, or by ſending ſome white Perſon with the ſaid Negro, or other Slave or Slaves; upon Complaint made to the next Juſtice of the Peace, the Perſon or Perſons ſo offending, ſhall be bound to his or their Behaviour, and to appear at the next Quarter-ſeſſions of the Peace to be held for this Iſland, and there be fined, as the Court ſhall think fit, not exceeding twenty Pounds, or double the Value of the Goods ſo clandeſtinely bought.

Penalty on dealing with Negroes.

IV. AND be it further enacted by the Authority aforeſaid, That if any Negro, or other Slave, oppoſe, ſtruggle with, or ſtrike any white Perſon whatſoever, upon Complaint made to the next Juſtice of the Peace, the ſaid Negro, or other Slave, ſo offending, ſhall be publickly whipt by the Conſtable of that Diviſion, or ſome other Perſon which the ſaid Juſtice ſhall appoint to do the ſame, at the Diſcretion of the ſaid Juſtice; but in caſe ſuch white Perſon be hurt, wounded, bruiſed, or maimed by ſuch Negro, or other Slave, then, and in ſuch caſe, the Negro, or other Slave, ſhall be ſentenced and adjudged to Death, diſmembering, or ſuch other Puniſhment as two Juſtices, in their Diſcretion, ſhall think fit.

Puniſhment of a Negro ſtriking or wounding a white Perſon.

1711.

V. AND for the better preventing of running away of Negroes, and other Slaves, as alſo to hinder and obſtruct evil-minded People from entertaining them; be it further enacted by the Authority aforeſaid, That what Perſon or Perſons ſoever ſhall, for the future, harbour or entertain any Negro, or other Slave, other than his own (being run away above twenty four Hours) and not give the Owner, if to him known, an Account of ſuch Negro, or Slave, being in his Cuſtody, ſhall pay unto the Owner of ſuch Slave, if a common field Negro, twelve Shillings; if a Tradeſman, twenty Shillings, for each twenty four Hours after the firſt Hour of ſuch run-away Negro, or other Slave, being in his, her, or their Cuſtody; but if the Maſter ſhall not be known, then the Party, in whoſe Cuſtody ſuch run-away Negro, or Slave, ſhall be, ſhall carry him or them to the Provoſt-marſhal of the Iſland, or his lawful Deputy for the Time being, who is hereby obliged to receive him or them into his Cuſtody, and pay the bringer twelve Shillings for taking up each ſuch run-away Negro, or other Slave; and nine Pence *per* Mile, for as many Miles as each ſuch Negro, or other Slave, is brought to the Gaol, from the Place where he or they were taken; and the Marſhal is to keep the ſaid Negro, or other Slave, ſo run away, in ſafe Cuſtody, and by a Liſt (to be ſet up at the Priſon Door, or ſome other publick Place) inſert the Names of ſuch Negroes, or other Slaves, that are in his Cuſtody, their Age, and other Marks, as alſo their Maſters Names, if known; and if the Marſhal, or his Deputy, ſhall refuſe to pay the bringers aforeſaid, or receive the Negro, or other Slaves, or neglect to put their Names in the Liſt, he or they ſhall forfeit and pay for every ſuch Offence the Sum of Six Pounds current Money.

Penalty on harbouring run-away Slaves.

If the Owners be not known, Slaves to be committed to the Cuſtody of the Marſhal.

VI. AND in caſe the ſaid Marſhal, or his Deputy, ſhall neglectfully, or willingly ſuffer ſuch Negro, or other Slaves, to eſcape, or ſhall put them to work, he ſhall forfeit and pay to the Owner, for every twenty four Hours abſence of ſuch Negro, or other Slave, who hath eſcaped by the ſaid Marſhal's Negligence or Wilfulneſs, the Sum of Twenty Shillings current Money: And in caſe any Negroes, or other Slaves, periſh for want of Proviſions, he ſhall forfeit and pay unto the Owner of ſuch Slave Fifty Pounds current Money.

Penalty on Marſhal ſuffering them to eſcape.

VII. PROVIDED always, That the ſaid Marſhal ſhall, upon Delivery of any Negro, or other Slave, to their reſpective Maſter or Owner, receive from him or them the twelve Shillings paid for taking each Negro, or other Slaves, and the nine Pence *per* Mile; and for every twenty four Hours he or they have been in his Cuſtody, ſhall receive twelve Pence: And if any Negro, or other Slave, ſhall happen to lie ſo long in Priſon as three Months, ſuch Negro, or other Slave or Slaves, are to be taken out of Priſon, and ſold at publick Outcry, for the Fees and Charges aforeſaid, by Warrant under the Hands and Seals of two Juſtices of the Peace; and the Overplus, if any, after the Payment aforeſaid, to the Owners, if known, otherwiſe to the Treaſurer for the Time being, for the Uſe of the Publick, till the Owner ſhall appear, to whom the Treaſurer ſhall be obliged to account, and pay what remains in his Hands, all neceſſary Charges being firſt deducted; and the Marſhal, or his lawful Deputy, is hereby injoined to give notice to one or more Juſtices, when the Term of three Months is expired, for each ſuch Negro, or other Slave, or forfeit and pay for each and every ſuch Neglect the Sum of Four Pounds current Money.

Proviſo.

VIII. AND be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall kill a Negro, or other Slave, in juſt Defence of his Perſon or Property, or in his Purſuit of ſuch Negro, or other Slave, being run away, or broke out of Priſon, and reſiſting or refuſing to ſubmit; ſuch Perſon or Perſons ſhall not be liable to any Proſecution, Moleſtation, or Damage whatſoever, either in Law or Equity; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Perſons not liable to any Proſecution for killing a Negro in their own Defence, &c.

IX. AND

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Condemned Slaves to be appraiſed.

IX. And be it further enacted by the Authority aforeſaid, That from and after the Publication of this Act, whenſoever any Negro, or other Slave, ſhall be taken and condemned for any Crime, Offence, or Miſdemeanour by him or them committed, that before Execution do paſs upon them, any or either of them, that they ſhall be valued and appraiſed by two neighbouring Freeholders, by Warrant under the Hands and Seals of the two next Juſtices of the Peace; which ſaid Appraiſers are hereby directed not to value or eſtimate any ſuch Negro, or other Slave, of what Quality, Condition, Age, Circumſtance, or Eſtate ſoever he, or ſhe, or they be, for more than the Sum of five thouſand Pounds of Sugar for each and every Slave executed; but in caſe of Diſability, as Lameneſs, by having but one Limb, or being otherwiſe incapable of Service, then the ſaid Eſtimation or Valuation to be leſs, according to the Conſcience, beſt Skill and Judgement of the ſaid Appraiſers, upon their Oaths, to be given before the next Magiſtrate, before their Return of their Report.

Value of ſuch Slaves how to be diſtributed.

X. And becauſe it ſeems juſt and reaſonable, that an equal and fair Diſtribution ſhould be made by and between the Parties Sufferers, of the Valuation or Appraiſement of ſuch condemned Negres, as aforeſaid; be it further enacted and ordained by the Authority aforeſaid, That after Execution done upon ſuch Negro or Negroes, or other Slave or Slaves, that the Treaſurer of this Iſland for the Time being ſhall be obliged to pay the Appraiſement of the Value of ſuch Slave or Slaves ſo executed in Manner as aforeſaid, in Manner and Form following; that is to ſay, Three thouſand of the ſaid five thouſand Pounds of Sugar unto the reſpective Owner or Owners of ſuch Slave or Slaves ſo executed, and the other two thouſand thereof to the reſpective Perſon or Perſons ſo robbed, plundered, prejudiced, or damaged, as in and by this Act is directed.

Proviſo.

XI. Provided always, That the Damages ſuſtained in the Felony committed by ſuch Negro executed, do amount to the Value of two thouſand Pounds of Sugar, which Damages ſhall be inquired of by the ſaid Juſtices who tried the ſaid Slave, either by the Oath of the Party, or by ſuch other Means, as ſhall be thought moſt likely to find out the Truth, otherwiſe the Surpluſage, or the Valuation of ſuch Damage, to redound to the Owner or Proprietor of ſuch Slave or Slaves ſo executed.

Penalty on Marſhal neglecting to attend the Execution of any Criminal.

XII. And in regard great Neglect and Delay hath been made heretofore by the Provoſt-marſhal of this Iſland, in the due Execution of his Office upon the Body of ſuch Criminals as aforeſaid; be it enacted by the Authority aforeſaid, That the Provoſt-marſhal of this Iſland for the Time being, or his lawful Deputy, upon notice given him from the Juſtices of Peace, or either of them, who awarded the Execution, of the Time and Place, when and where any Negro-malefactor is to be executed, that he or they do not fail to attend the Diſcharge of their Duty and Function, under the Penalty of Ten Pounds current Money; to be levied by Warrant of Diſtreſs upon the Goods and Chattels, to be ſigned and ſealed by the next Juſtice of the Peace, directed to the Conſtable, and immediately to be ſold at Outcry; and for want of Aſſetts, ſuch Marſhal, or his Deputy, ſo offending, to be committed to the publick Gaol, by Warrant under the Hand and Seal of the next Juſtice of Peace, directed to the Conſtable; and for each and every ſuch Execution ſo done and performed by the Provoſt-marſhal, or his lawful Deputy, they ſhall be paid the Sum of five hundred Pounds of Sugar, to be allowed out of the Sum, for which ſuch Negro ſo executed ſhall be appraiſed at; or, in the Abſence or Neglect of the ſaid Marſhal, and his Deputy, whoſoever, being lawfully appointed, ſhall do, or cauſe Execution to be done upon the Body of ſuch Criminal or Malefactor as aforeſaid, upon Certificate thereof from the Juſtice or Juſtices who awarded the Execution, he or they ſhall receive the Benefit of the ſaid Sum of five hundred Pounds of Sugar, to be paid in Manner as aforeſaid.

XIII. And

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Negroes escaping, to be out-lawed in 4 Months.

XIII. And forasmuch as the Negroes, and other Slaves, upon committing any Crime, frequently escape to the Mountains, so that they cannot be taken in a long Time; be it further enacted by the Authority aforesaid, That what Negro, or other Slave soever, shall at any Time hereafter commit a Felony, or other Crime, and shall absent him or themselves, so that he or they cannot be taken and brought to Trial in the Space of four Months after the Crime committed, every such Negro, or other Slave, shall be, and is, by virtue of this Act, declared to be out-lawed; and if the Master or Owners of such Negro, or other Slave, be a Means of the hindering their being brought to Trial, every such Master or Owner is hereby forecloſed and debarred of having any Benefit by this Act, or of receiving any thing for such Negro, or other Slave, if killed or brought to Trial by any other Means; and if any Person shall send off his Negro, that hath killed another, he shall pay unto the Owner of such Negro so killed, as aforesaid.

Penalty on selling Strong-liquors to Negroes upon *Sundays*, &c.

XIV. And be it further enacted by the Authority aforesaid, That no Retailer or Retailers of Strong-liquors, shall, after Publication hereof, on *Sundays*, or Holy-days, sell any Liquor or Liquors, of what Nature or Quality soever, to any Slave or Slaves, under Pain and Penalty of Three Pounds current Money for every such Offence so committed; and all Justices of the Peace, and Constables, are hereby required, and fully impowered to disperse all unusual Concourses of Negroes in or about the Towns, or elsewhere, on *Sundays*, or other Holy-days; and to take up, or cause to be taken up, all Negroes, who shall be found armed with Clubs, or other offensive Weapons, or playing at Dice, or other unlawful Sports, or drinking in the Publick-houses; and such Negroes so taken up, shall be publickly whipt, not exceeding thirty Stripes.

Justices to make further necessary Orders.

XV. And because it is not possible to foresee and provide against all the Difficulties that may happen in the Execution of this Act; be it enacted by the Authority aforesaid, That the Justices of the Peace, in their Sessions, may, from Time to Time, make and publish such further Orders and Regulations, as shall be found necessary for the better Government of Negroes.

Reward for apprehending Slaves absconding in the Mountains, in order to go over to the *French*.

XVI. And whereas lately sundry Negroes, and other Slaves, have deserted their Masters and Owners, and have withdrawn themselves into the late *French* Quarter and there absconded themselves in the Grounds called the *Salt Ponds*, and in other Grounds lying to windward of *Frigatt Bay*, with Design and Intent not only to go over themselves to the Enemy, when Opportunity shall present, but also to persuade and intice other Negroes and Slaves to go with them, to the Prejudice of the Owners, and the publick Good and Welfare of this Island; be it therefore enacted and ordained by the Authority aforesaid, That what Person or Persons soever, either white or black, free or bond, shall take or apprehend such Negro or Negroes, or other Slave or Slaves, so absconding, as aforesaid, in such Lands or Mountains about the *Salt Ponds*, or to windward of *Frigatt Bay*; all and every such Person or Persons, so taking and apprehending such Negro, or other Slave or Slaves, and bringing them safe to the Provost-marshal, or his lawful Deputy, shall receive, as a Reward for taking and apprehending each and every such Negro or Negroes, Slave or Slaves, the Sum of twenty Pieces of Eight, to be paid by the Master or Owner of such Negro or Negroes, or other Slave or Slaves, so taken, as aforesaid; and the Provost-marshal, or his lawful Deputy, to be paid their Fees of Committment, for such Slave or Slaves, as aforesaid, by their respective Owners; and such Slave or Slaves so committed, to remain in Custody in the common Gaol, until the Money and Fees be paid and discharged in Manner as aforesaid; and upon written Publications, put up in the most convenient Places of this Island by the Provost-marshal, or his lawful Deputy, of such Negroes so taken up in Manner as aforesaid, and giving the best and fairest Descriptions possible, of their Persons, Marks, Features, and Countries, in case the Owner or Owners of such run-away Slave or Slaves, so taken up,

and

and in Cuſtody, as aforeſaid, ſhall not, within one Month's Time after ſuch Publication put up, come in, and lay his, her, or their Claim or Claims to ſuch run-away Slave or Slaves, ſo taken up, and in Cuſtody, as aforeſaid, and make his, her, or their juſt Right and Property thereunto; then, and in ſuch Caſe, the ſaid run-away Slave or Slaves ſhall be ſold at publick Outcry by the Provoſt-marſhal, or his lawful Deputy, and, the Money and Charges deducted thereout, the Overplus to remain in the Hands of the Treaſurer of this Iſland for the Time being, for and during the Space of twelve Months, for the Uſe of the Owner or Owners of ſuch Slave or Slaves, as aforeſaid; and if none ſuch appear within that Time, then ſuch Overplus to be employed for the Uſe of Her Majeſty's Fortifications in this Iſland. 1711.

XVII. AND be it further enacted by the Authority aforeſaid, That if any Juſtice of the Peace within this Iſland ſhall neglect or refuſe to perform his Duty, as by this Act he is injoined and required, he or they, ſo offending or neglecting, ſhall forfeit and pay for every ſuch Neglect or Refuſal the Sum of Twenty Pounds current Money; to be ſued for and recovered in any of Her Majeſty's Courts within this Iſland; the one Half to the Informer, and the other Half towards the Fortifications of this Iſland. Penalty on Juſtice neglecting his Duty.

XVIII. AND where any Clauſe of this Act requires the Marſhal, or his Deputy, or the Conſtable, to do or perform any Duty, where a Penalty is not already mentioned, he or they ſo neglecting or refuſing to do the ſame, the Juſtice or Juſtices, before whom the Matter lies, ſhall fine ſuch Perſon or Perſons for each ſuch Offence, according to their Diſcretion, not exceeding Ten Pounds current Money; and ſuch, and all other Penalties ariſing by virtue of this Act, not directed how to be levied or diſpoſed of, ſhall be levied by Warrant under the Hands and Seals of two Juſtices of the Peace, on the Goods and Chattels of the Party or Parties ſo offending, by the next Conſtable, and ſold at publick Outcry, rendering the Overplus, if any, to the Owner; the Fines and Forfeitures to be the one Moiety to the Informer, the other to Her Majeſty's Uſe, and applied to the Fortifications of this Iſland. Juſtices to fine Conſtables, &c. at their Diſcretion, where no Penalty is mentioned.

An Act to regulate and ſettle the Militia of this Iſland; to mount the Guards, go the Rounds and Petty-rounds, and do their Duty in their Turns, as ſhall be ordered them. № 3.

WHEREAS it is found by long Experience, that it is altogether impoſſible that this Your Majeſty's Iſland of St. *Chriſtopher*'s can be in Order, or any ways capable to defend and maintain the ſame againſt the Inſults, Attacks, or Invaſions of Your Majeſties Enemies, and their Accomplices, unleſs the Inhabitants thereof be brought under a more regular and exact Diſcipline; and that each and every of them, being above the Age of fourteen Years, and under Sixty, be perſonally obliged, in one Capacity or other, with good and ſufficient Arms and Ammunition, to appear and attend the ſaid Service, as Occaſion ſhall require: And whereas here hath been of late more than an ordinary Neglect and Remiſſneſs in both Officers and Soldiers of the Militia of this Iſland; which ſeems to threaten, and may occaſion the Loſs

1711. thereof, if not ſpeedily prevented: We therefore, Your Majeſty's moſt dutiful Subjects, the Governor in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and Council of the Iſland of St. *Chriſtopher*'s, together with the Aſſembly of the ſame, do pray Your Moſt Excellent Majeſty to enact and ordain; and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That all Perſons, living, reſiding, and being in this Iſland of St. *Chriſtopher*'s, and being above the Age of fourteen, and under Sixty (Sickneſs only excepted) ſhall be obliged to appear and ſerve in Perſon, and do ſuch Duty, with ſuch Arms and Accoutrements, on all Alarms or Invaſions, and upon Muſter and Exerciſing-days, at ſuch Place or Places, as ſhall be ordered them by the Governor in chief, Lieutenant-governor, or other Commanding-officer of this Iſland for the Time being, in and with the Conſent and Approbation of a Council of War, conſiſting of ſeven Field-officers, or other principal Officers of the ſame; which ſaid Council of War ſhall be held immediately after the Publication of this Act, and at any other Time afterwards, ſo often, and as Occaſion, and as the Good and Safety of this Iſland ſhall or may require; and ſettle the Militia of this Iſland, conformable, and according to the Tenor thereof; and to give ſuch neceſſary Orders and Directions from Time to Time, as need ſhall require any Alteration to be made for the future; to nominate and appoint each and every Perſon or Perſons living, reſiding, and being on this Iſland, and of the Age aforeſaid, having all due Regard to each Perſon's Eſtate and Quality, ſo as the beſt of the Gentry, not in Commiſſion, be appointed to ride in the Troop; and if any ſuch Perſon or Perſons, ſo commanded and appointed by the Council of War to ride in the Troop, as aforeſaid, ſhall refuſe the ſame, he or they ſhall forfeit and pay for every ſuch Refuſal the Sum of Twenty Pounds current Money, by their ſeveral and reſpective Chriſtian and Surnames; to be levied upon the Goods and Chattels of the ſaid Perſon or Perſons that ſhall refuſe ſerving, by the Field-marſhal of this Iſland for the Time being, by Execution from under the Hand and Seal of the Governor in chief, or Lieutenant-governor; to be ſold in the *Old Road* Town within twenty four Hours, the Remainder, if any, to be delivered to the Owner.

All Perſons above the Age of 14, and under 60, to do Duty on Muſter-days, &c.

II. And it is the true Intent and Meaning of this Act, that the Muſter and Exerciſing-days do not exceed more than one Day in every Month in the Year; and alſo provided, that the Gentlemen of the Council and Aſſembly not in Commiſſion, be indemnified, ſaved harmleſs, and excuſed their perſonal Appearance and Attendance on all Muſter and Exerciſing-days only; all which Regulations and Settlement of the Militia of this Iſland, together with all other the Proceedings and Doings of the ſaid Council of War, be fairly written in a Book provided for that Purpoſe.

The ſame to be not oftner than one Day in a Month.

III. Be it further enacted by the Authority aforeſaid, That the Guards and Rounds be regulated and ſettled by the ſaid Council of War in Manner and Form following; *viz.* The Perſons Names, and Number of them, and their Turns as they are to attend the ſaid ſeveral Services, ſhall be of as ſufficient Force and Authority, to all Intents and Purpoſes whatſoever, to bind and oblige all and every the Inhabitants to the Duty, Obedience, and Performance thereof, as if his or their particular Name or Names had duly been inſerted, and appointed him or them in and by this Act.

Regulation of the Guards, &c.

IV. And that no Perſon may plead Ignorance of the ſaid Regulations and Orders eſtabliſhed, it is hereby appointed and enacted by the ſaid Council of War, That the ſame ſhall be entered in a Book to be kept for that Purpoſe, and fair Copies thereof, now at firſt, and as Occaſion ſhall require Alteration to be made for the future, given under their Hands, to every Field-officer and Captain of this Iſland, that they may with the more Eaſe know how to ſet and place their Guards, find out and puniſh the Party or Parties that offend

Orders to be entered in a Book.

offend after due Notice given him or them what Guards or other Duty he or they are to keep and perform. 1711.

V. FOR the better and more regular Performance of all and every the Duties intended, and that ſhall now at firſt, or hereafter, during this preſent War, be impoſed on the ſeveral Inhabitants of this Iſland by the ſaid Council of War, by virtue of this Act; be it further enacted by the Authority aforeſaid, That whatſoever Perſon, being of the Age aforeſaid (Sickneſs only excepted) living, reſiding, and being on this Iſland, whether Officer or Soldier, that ſhall refuſe and neglect duly to do and perform the Duty aſſigned them by the ſaid Council of War, when and ſo often as it ſhall come to his or their Turn, ſhall forfeit and pay for each and every Offence, if a Field-officer, the Sum of Three Pounds current Money; if other Commiſſion-officer, the Sum of Thirty Shillings; if a Gentleman, the Sum of Fifteen Shillings, or be ſent to *Charles Fort*, there to remain without Bail or Mainprize, not exceeding ſeven Days, at the Diſcretion, and by Warrant under the Hand and Seal of the Officer riding the grand Rounds, or commanding the Party where ſuch Neglect or Refuſal is made. Penalties on Officers Neglect of Duty.

VI. PROVIDED nevertheleſs, That the Gentlemen of the Council and Aſſembly be excuſed from riding the Rounds the Night before, and the ſame Night after their meeting the Council and Aſſembly. Proviſo.

VII. AND the Commanding-officers of the ſaid Fort for the Time being are to receive all ſuch Perſons ſo ſent them, and keep him or them in ſafe Cuſtody, during and according to the Time and Tenor of the ſaid Warrant of Committment, if not ſooner diſcharged by the Governor in chief, Lieutenant-governor, or other Commanding-officer of this Iſland for the Time being, or the Perſon himſelf that committed him or them reſpectively: If a private Centinel, Foot-ſoldier, or a Freeholder, the Sum of five Shillings; but poor, or a Servant, and not being able to pay the aforeſaid Fine, to be tied Neck and Heels, or ride the Wooden-horſe, not exceeding one Hour: Provided always, That the Servant be not detained by his Maſter, Miſtreſs, Manager, or Overſeer, in which caſe the Maſter, *&c.* ſhall forfeit and pay the Fine aforeſaid. Penalty on private Soldiers Neglect of Duty.

VIII. AND be it further enacted and provided by the Authority aforeſaid, That all Diſputes which ſhall ariſe concerning the Conſtruction and Execution of this Act, ſhall be determined by a Court-martial, conſiſting of at leaſt ſeven Commiſſion-officers; who ſhall take an Oath (to be adminiſtred by the Judge-advocate, who ſhall be commiſſionated by the chief Governor, or Lieutenant-governor for the Time being) that they will in all Caſes do ſpeedy Juſtice, without Favour or Prejudice to any Perſon whatſoever. Diſputes to be determined by a Court-martial.

IX. AND be it further enacted by the Authority aforeſaid, That whatſoever Gentleman of the Troop ſhall be appointed by his reſpective Commanding-officer to ſerve as Corporal of the ſaid Troop, is hereby obliged ſo to ſerve for the Space of one whole Year, under the Penalty of Twenty Pounds current Money upon Refuſal to act as Corporal; to be levied by the Provoſt-marſhal, or his lawful Deputy, upon his Goods and Chattels, by Warrant from under the Hand and Seal of his Excellency the General, or Lieutenant-governor, and the ſame to expoſe to publick Sale, within three Days after Seizure made, in the Town of the *Old Road*; the ſaid Money ſo ariſing by virtue of this Act, to be returned into the Hands of the publick Treaſurer, for the Uſe of Her Majeſty's Fortifications, and other contingent Charges of the Government, the ſaid Marſhal returning the Overplus, if any be, to the Owner, having firſt deducted his lawful Fees and Charges: Always provided, That no Gentleman that has been in Commiſſion, ſhall be obliged to ſerve as a Corporal in any of the reſpective Troops. Penalty if a Gentleman refuſes to ſerve as Corporal.

X. AND be it alſo enacted, That whatſoever Perſon or Perſons in the Militia Regiment of this Iſland, who ſhall be pitched upon and appointed by

1711.

Penalty if a Perſon refuſes to act as Serjeant or Corporal in the Militia Regiment.

by his or their reſpective Commanding-officer to act as Serjeant or Corporal in the Company he or they belong to, for the Term of one Year, do refuſe to act and do their Duty, either of Serjeant or Corporal, after appointed, as aforeſaid, ſhall for every ſuch Refuſal forfeit the Sum of Ten Pounds current Money; to be levied, put to publick Sale, and be diſpoſed of by the Provoſt-marſhal, or his lawful Deputy, after the ſame Manner as a Gentleman refuſing to ſerve as Corporal of the Troop: Always provided, That no Gentleman that has been in Commiſſion, ſhall be obliged to ſerve either as Serjeant or Corporal in the ſaid Regiment: Provided alſo, That if either the Trooper, or Perſon or Perſons appointed to ſerve, either as Serjeant or Corporal in the ſaid Regiment, ſhall not be found to have Effects ſufficient to anſwer the ſaid Fines; that then, and in ſuch Caſe, the Perſon inſolvent ſhall be ſent by his Commanding-officer to *Charles Fort*, by a Note under his ſaid Officer's Hand to the Commanding-officer in the ſaid Fort, to receive him or them as Priſoner, and there to be kept for the Space of twenty Days, if not ſooner releaſed by the General, or Lieutenant-governor.

Clauſe for the Encouragement of Gentlemen to ſerve as Corporals in the Regiment.

XI. And for the better Encouragement of a Gentleman to ſerve as Corporal in the Troops, as likewiſe Serjeants and Corporals to ſerve in the Regiment; be it, and it is hereby enacted, That all Fines and Forfeitures (as are expreſſed and ſet down in the Act) ariſing from, and upon Neglect of Duties to be performed, either by any Gentleman of the Troops, or by a private Centinel in any of the Companies of the Regiment of Foot, ſhall, if for a Trooper, be paid into the Hands of his reſpective Corporal, for his proper Uſe and Benefit; to be demanded and recovered from the ſaid Trooper that has neglected to do his Duty, by an Order from under the Hand of his reſpective Commanding-officer; as likewiſe, all Forfeitures ariſing upon Neglect of Duty in a Foot-ſoldier in the ſaid Regiment, ſhall be to the proper Uſe and Benefit of the reſpective Serjeants and Corporals of the Company, to whom the Offender or Offenders belong; to be recovered from him or them by an Order from under the Hand of his or their reſpective Commanding-officer; and upon refuſal of either Trooper or Soldier in the ſaid Regiment, to pay the Forfeitures as hereby ordered and directed; then, and in ſuch Caſe of Refuſal, he or they ſhall be ſent a Priſoner to *Charles Fort*, after the ſame Manner as is before preſcribed in Caſe of Inſolvency, either in a Corporal of the Troops, or Serjeants, or Corporals of the Regiment, there to be kept till he or they pay the ſaid Forfeitures, and the General, or Lieutenant-governor, be ſatisfied of the ſame, from either the Corporal of the ſaid Troops, or Serjeant, or Corporal of the Regiment.

Penalty on Corporal neglecting to recover the Fines.

XII. And be it further enacted, That if the ſaid Corporal of the Troops, or Serjeant, or Corporal of any the Companies in the ſaid Regiment, be remiſs in recovering the ſaid Forfeitures, or pretending to forgive the ſame, he ſhall be liable to be ſent a Priſoner to *Charles Fort* by his Officer, in the ſame Manner as is before directed for ſending a Priſoner to the ſaid Fort, there to lie for the Space of thirty Days, if not ſooner releaſed by the General, or Lieutenant-governor.

Forfeitures how to be recovered.

XIII. And be it, and it is hereby further enacted by the Authority aforeſaid, That if any Officer, either of the Troops or Companies of the ſaid Regiment, ſhall neglect to do their Duties, as are expreſſed and ſet down in this Act, or ſhall be concluded on, from Time to Time, by a Council of Officers of the ſaid Troops and Regiments, the Forfeiture ariſing therefrom ſhall be recovered by Warrant from under the Hand and Seal of the Captain-general, Lieutenant-governor, or the Commanding-officer for the Time being, directed to the Provoſt-marſhal, or his lawful Deputy, who is forthwith, upon receipt thereof, to demand from the Officer ſo offending the Sum due from him, according to the Rate ſet down and ſpecified in this Act; and upon Refuſal to pay the ſame, to diſtrain upon ſo much of the offend-

ing Officer's Goods and Chattels, as he ſhall judge may amount to the ſaid Sum, and the ſame in three Days to expoſe to publick Sale in the Town of *Old Road*, returning the Money ariſing therefrom into the Hands of the publick Treaſurer, for the Uſe of Her Majeſty's Fortifications, and other contingent Charges of the Government; and alſo returning the Overplus, if any be, to the Owner, having firſt deducted his lawful Fees and Charges. 1711.

An Act for ſelling of Strong-liquors by retail; and taking out Licences. № 4.

WHEREAS there is a Neceſſity for raiſing an Impoſt upon ſuch as ſhall be licenſed to ſell Strong-liquors by retail in this Your Majeſty's Iſland, for defraying the publick Charges within the ſame, Conſideration being thereunto had: We, Your Majeſty's moſt dutiful and loyal Subjects, *Walter Douglas* Eſquire, Captain-general, and Commander in chief in and over all Your Majeſty's Leeward Carribbee Iſlands in *America*, by and with the Advice and Conſent of the Council and Aſſembly of this Your Majeſty's Iſland of St. *Chriſtopher*'s, humbly pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is hereby enacted by the ſaid *Walter Douglas* Eſquire, Captain-general, and Commander in chief in and over all Your Majeſty's Leeward Carribbee Iſlands in *America*, by and with the Advice and Conſent of the Council and Aſſembly of the ſaid Iſland, and by the Authority of the ſame, That from and after the Publication hereof, all and every Perſon and Perſons reſiding in this Iſland, who ſhall hereafter ſell any ſorts of Strong-liquors by retail, ſhall and are hereby obliged to pay, or cauſe to be paid unto the Treaſurer of the ſaid Iſland for the Time being, or any other Perſon or Perſons authorized thereunto, after the Rate of ſixteen Pounds current Money, to be paid quarterly, for his, her, or their particular Licence ſo to do; for the true Performance whereof, they ſhall give in ſufficient Security, Bond, or Obligation, in the Secretary's Office of the ſaid Iſland, at the taking out ſuch Licence or Licences.

Retailers of Strong-liquors to pay 16 *l. per Annum*, for a Licence.

II. AND thoſe who ſhall hereafter ſell Rum, or Rum-punch by retail, ſhall and are hereby obliged to pay, or cauſe to be paid to the Treaſurer of this Iſland for the Time being, or any other Perſon or Perſons authorized thereunto, after the Rate of three Pounds two Shillings and ſix Pence current Money *per Annum*, for ſuch Licence, to be paid quarterly; for the due Payment whereof, they ſhall alſo give in ſufficient Security in the Secretary's Office, by Bond or Obligation, as aforeſaid.

Selling Rum, to pay 3 *l.* 2*s.* 6 *d.*

III. AND it is further enacted and ordained by the Authority aforeſaid, That if any Perſon or Perſons reſiding in this Your Majeſty's Iſland, ſhall, after Publication hereof, preſume to ſet up or keep any Taverns or Victualling-houſes, or to ſell Strong-liquors by retail in this Your Majeſty's Iſland, without Licence firſt had and obtained from the Commander in chief, or the Lieutenant-governor for the Time being; he, ſhe, or they ſo offending, and thereof lawfully convicted, ſhall for every ſuch Offence forfeit and pay the

Penalty on ſelling Strong-liquors,

1711.

full and juſt Sum of Thirty two Pounds current Money of this Iſland; to be forthwith levied by way of Diſtreſs, upon the Goods of ſuch Perſons ſo offending as aforeſaid; one Half to Her Majeſty, to be employed about Her Majeſty's Fortifications, and the other contingent Charges of this Your Majeſty's Iſland, and the other Half to the Informer.

or Rum, without Licence.

IV. AND if any Perſon or Perſons reſiding in this Your Majeſty's Iſland, ſhall preſume to ſell Rum, or Rum-punch by retail, without Licence thereunto firſt had and obtained, ſhall for every ſuch Offence forfeit and pay the juſt and full Sum of Six Pounds Five Shillings current Money of this Iſland; to be levied by way of Diſtreſs as aforeſaid; the one Half to Her Majeſty, to be employed on the Fortifications, and other contingent Charges of this Your Majeſty's Iſland, as aforeſaid, and the other Half to the Informer.

Proviſo.

V. PROVIDED always, That it ſhall and may be lawful for ſuch who have Sugar-works, to diſpoſe and ſell by retail at their particular Plantations, and no otherwiſe.

Perſons ſetting up Rum-works, to pay 16*l.* 10*s.* *per Annum*,

VI. BUT if any Perſon or Perſons ſhall ſet up Rum-works, and purchaſe Moloſſes to diſtil into Rum in any Place or Part of this Your Majeſty's Iſland, as aforeſaid, ſhall and are obliged hereby firſt to take out a Licence, and pay after the Rate of ſixteen Pounds ten Shillings current Money *per Annum*, into the Treaſurer's Hands of the ſaid Iſland for the Time being, quarterly.

or forfeit 33*l.*

VII. AND whatſoever Perſon or Perſons, after Publication hereof made, ſhall preſume to ſet up any ſuch Work, for the diſtilling of Moloſſes, as aforeſaid, without Licence firſt had and obtained for their ſo doing, ſhall forfeit the Sum of Thirty three Pounds current Money of the ſaid Iſland for every ſuch Offence; to be forthwith levied by way of Diſtreſs, as aforeſaid; the one Half to Her Majeſty, for the Uſe of the Fortifications of this Your Majeſty's Iſland, and the contingent Charges of the Government, and the other Half to the Informer.

Treaſurer to levy the Fines,

VIII. AND be it further enacted by the Authority aforeſaid, That all Fines to be levied by way of Diſtreſs, ſhall be by the Treaſurer of the ſaid Iſland for the Time being (who is hereby impowered to levy the ſame in ſuch Manner as Executions are levied, after Judgement obtained, in Actions between Party and Party) or his Deputy; by virtue of which, he ſhall diſpoſe of, by publick Outcry, all ſuch Things as ſhall by him be detained; Publication thereof being forthwith made for Sale in any of the Towns within this Her Majeſty's Iſland, as aforeſaid, at the Expiration of three Days after Execution be levied, rendering the Overplus, if any be, to the lawful Owner thereof, firſt deducting his lawful Fees and Charges for levying the ſame.

on Proof of the Offence before a Juſtice.

IX. AND be it further enacted by the Authority aforeſaid, That all Informations ſhall be made to the Treaſurer of the ſaid Iſland for the Time being, who is forthwith to go with the Informer to the next Juſtice of the Peace, and upon Proof made by one or more lawful Witneſſes before ſuch Juſtice of Peace, ſhall be a ſufficient Authority to the ſaid Treaſurer to diſtrain upon ſuch Offender or Offenders Goods in Manner as aforeſaid.

Proviſo.

X. PROVIDED always, That nothing herein contained ſhall leſſen Her Majeſty's Prerogative in any Reſpect whatſoever.

An

1711.

An Act for raiſing a Levy, to defray the publick Charges of this Iſland. N° 5. Expired.

An Act to prevent Treſpaſſes between Neighbours, and to regulate the impounding of Stock. N° 6.

IN Conſideration of the many Treſpaſſes and Damages which the Inhabitants daily ſuſtain by the abundance of Stock, to the great Detriment of Your Majeſty's Subjects in this Iſland: For Prevention whereof for the future, we, Your Majeſty's moſt dutiful and loyal Subjects, *Walter Douglas* Eſquire, Captain-general, and Governor in chief in and over all Your Majeſty's Leeward Carribbee Iſlands in *America*, together with the Lieutenant-governor, Council, and Aſſembly of the ſame, do moſt humbly pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That all the Inhabitants, which are Owners or Poſſeſſors of any Land or Plantations within this Your Majeſty's Iſland, ſhall be from henceforth obliged to make and keep in good Repair, a ſufficient Fence or Barricado, on the Eaſtward or Windward Side, and at the Head of all their Lands or Plantations, and alſo to all common Paths or Highways running through the ſaid Lands, under Penalty of the Forfeiture of Fifty Pounds current Money, or the Value thereof in Sugar, for each and every Perſon that ſhall neglect or refuſe to make ſuch Fences within ſix Months after the Date of this Act, or at any Time after the ſaid ſix Months, to repair ſuch Fences within ten Days Time after Notice given them; and likewiſe, that ſuch Perſon or Perſons, as aforeſaid (during ſuch Time of their Neglect) ſhall be excluded from having any Benefit or Advantage by this Act, for any Damage ſuſtained by Means of the Treſpaſſes committed as aforeſaid.

Owners of Land to keep good Fences, or forfeit 50 *l.*

II. AND be it further enacted by the Authority aforeſaid, That whatſoever Perſon or Perſons ſhall clandeſtinely break down, deſtroy, or carry away any Rails or Fences, ſet up or made for the Prevention of Damages, as aforeſaid, and be convicted thereof by ſufficient Witneſs before a Juſtice of the Peace, the Perſon ſo offending ſhall pay ſuch Fine as the ſaid Juſtice ſhall order; and in Default or Refuſal of Payment of ſuch Fine impoſed, the ſaid Juſtice may order Corporal Puniſhment to be inflicted, not exceeding thirty Laſhes on their bare Back, or be ſet about four Hours in the Stocks; and that if any Horſe, Beaſt, Mule, or Aſs, ſhall forceably break down the ſaid Fences, the Owners of ſuch Beaſt or Beaſts, *&c.* as aforeſaid, are hereby obliged to repair the ſaid Fences, and pay ſuch Damages, as ſhall be adjudged by two indifferent Neighbours, to be thereupon impowered by a Warrant under the Hand and Seal of the next Juſtice of the Peace; and in caſe the Perſons ſo duly appointed and ſummoned, ſhall refuſe or neglect to make his or their Appearance at the Time and Place by the Warrant appointed, and refuſe to

Penalty on breaking down ſuch Fences.

Owners of Beaſts breaking Fences, to make good the Damages.

1711.

to execute and perform the ſaid Service (ſhewing no lawful Cauſe to be approved of by the ſaid Juſtice) ſhall, ſeverally, for every ſuch Contempt, forfeit the Sum of Twenty Shillings; to be levied by Warrant of Diſtreſs from any of Her Majeſty's Juſtices of the Peace: And if any Perſon or Perſons ſhall refuſe to make Payment or Satisfaction for ſuch Damages determined, as aforeſaid, with Charges, not exceeding ſix Pounds current Money, it is hereby declared to be lawful for the ſaid Juſtice to iſſue forth a Warrant of Diſtreſs to the Provoſt-marſhal, or his lawful Deputy, to be executed on any the Goods of the Offender, as near as may be to the Damage; who is hereby directed to make Sale thereof by publick Outcry, and, Satisfaction being firſt made to the Party aggrieved, the Marſhal ſhall receive to himſelf out of the ſaid Goods the Sum of ſix Shillings, for Diſcharge of his Office, returning the Overplus, if any, to the Owner; but if the Damage exceeds ſix Pounds, the ſame ſhall be recovered by Action of Treſpaſs in any Court of Record within this Iſland.

Stock how to be ſecured.

III. AND for the better ſecuring all Manner of Stock that ſhall be taken up for treſpaſſing, be it further enacted by the Authority aforeſaid, That every Perſon's private Penn upon his Plantation, and ſuch as ſhall be uſed inſtead of a Pound; and ſuch as have no Penn, may ſecure any Stock treſpaſſing on him or them, in the beſt and ſafeſt Manner they can; provided all ſuch Perſons who take up any Stock treſpaſſing as aforeſaid, do forthwith give Notice thereof, that the Owners may have Knowledge thereof.

Allowance *per* Day for keeping.

IV. AND that all Perſons ſo impounding and ſecuring any Stock treſpaſſing upon their reſpective Plantations, ſhall, by virtue of this Act, be allowed for all kind of Horſes, Cattle, Mules, and Aſſes, of any Age whatſoever, one Shilling; for every Sheep, three Pence, and ſo proportionable to the Number, for every four and twenty Hours keeping; and the Detainer is hereby required and obliged to find ſufficient Water and Provender to every Beaſt ſo kept in his ſaid Penn, or otherwiſe ſecured, as aforeſaid.

Hogs or Goats may be killed, after firſt Notice.

V. AND be it enacted by the Authority aforeſaid, That it ſhall be lawful for all Maſters, Overſeers, or Servants, to kill any Hogs or Goats after the firſt Notice given; the one Half to be and redound to the Party aggrieved, in Recompence for the Damage, and the other to the Owner: And that it ſhall and may be lawful for the Inhabitants in the reſpective Towns of this Iſland, to kill all ſuch Swine, as ſhall commit Treſpaſſes in any of the ſaid Towns, by getting into their Houſes or Backſides, and doing Damage there, by breaking open Caſks of Sugar or Moloſſes, *&c.* all which hath been found heretofore committed and ſuffered, to the vaſt Prejudice and Damage of the ſaid Inhabitants, and divers others.

Penalty on taking away any Stock impounded.

VI. AND in caſe any Perſon ſhall clandeſtinely or forceably take away their treſpaſſing Cattle or Stock out of the Penn or Pound of the Party aggrieved; every ſuch Perſon or Perſons ſo offending, ſhall be liable to be ſued in an Action of Treſpaſs; and if a Slave commit the Treſpaſs, in taking away as aforeſaid, he ſhall be puniſhed at the Diſcretion of the Juſtice of Peace.

General Iſſue.

VII. AND it is alſo further enacted by the Authority aforeſaid, That if any Perſon ſhall commence an Action in any Court of Record within this Iſland againſt the Provoſt-marſhal, or his Deputy, for the due Execution of their Office, according to the Tenor of this Act; that then, and in ſuch Caſe, the ſaid Provoſt-marſhal, or his lawful Deputy, may plead the general Iſſue, and give this Act in Evidence; which ſhall be a ſufficient Bar againſt any Suit or Action commenced againſt them.

An

1711.

An Act requiring all Maſters of Ships, and other Veſſels, to give Security in the Secretary's Office. N° 7.

WE, Your Majeſty's moſt dutiful and loyal Subjects, the Lieutenant-governor, Council, and Aſſembly of Her Majeſty's Iſland of St. *Chriſtopher*'s, do moſt humbly pray Her Moſt Excellent Majeſty that it may be enacted; and be it enacted by his Excellency *Walter Douglas* Eſquire, Captain-general, and Governor in chief in and over all Her Majeſty's Leeward Carribbee Iſlands in *America*, the Council and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority aforeſaid, That the Maſter of every Ship or Veſſel, or ſome other for him, in Caſe of Diſability, before they trade within this Iſland, or land any Goods on the ſame (living Creatures only excepted) ſhall, under the Penalty of forfeiting Ship and Cargo for his Neglect, wait upon the Governor, or Commander in chief, Lieutenant-governor, or Preſident of the Council for the Time being, and give in Security in the Secretary's Office, with one ſufficient Freeholder, or well known Merchant, ſuch as by common Repute is held to be worth ſo much, in the Sum of one thouſand Pounds current Money of this Iſland, that he ſhall not carry off this Iſland any Perſon without a Ticket, ſigned by the chief Governor, Lieutenant-governor, or Preſident of the Council for the Time being; nor depart himſelf with his Ship or Veſſel, without Leave of the chief Governor, Lieutenant-governor, or Preſident of the Council, under the Penalty of Fifty Pounds current Money for ſuch Departure; to be recovered by due Courſe of Law in any Court of Record within this Iſland; two thirds whereof ſhall be to our Sovereign Lady the Queen, Her Heirs and Succeſſors, for repairing Her Majeſty's Fortifications, and Support of the Government of this Iſland, and the other third to him that ſhall ſue for the ſame. Provided, That this Clauſe foregoing ſhall not extend to Women Covert, or Children under fourteen Years of Age: Likewiſe it is the true Intent and Meaning of this Act, that the Maſters of all Sloops and ſmaller Veſſels, belonging to, and trading among Her Majeſty's Leeward Carribbee Iſlands, ſhall be obliged to give Security in the Secretary's Office but once every Year.

Maſters of Ships to give Security not to carry off any Perſon, without a Ticket.

Exception.

II. AND be it further enacted by the Authority aforeſaid, That the Naval-officer of this Iſland ſhall not at any Time hereafter ſign any Letpaſs or Clearance from the Naval-officer to the Maſter of any Veſſel whatſoever, before that ſuch Maſter have entered his Veſſel in the Secretary's Office, and receive a Certificate from the Secretary of ſuch his Entering in the Secretary's Office, under the Penalty of One hundred Pounds current Money: And all Maſters of Sloops and other Veſſels, employed in carrying Timber, Lime, Stone, and other Neceſſaries to the Plantations on the Windward Side of this Iſland, in bringing Sugars, and other Goods of the Product of the Iſland from thence, be executed upon their Arrival at the ſaid Windward Side, waiting on the Governor, or Commander in chief; any thing in this Act ſeeming to the contrary notwithſtanding.

Naval-officer not to ſign a Clearance before Entry of the Veſſel.

III. AND be it further enacted by the Authority aforeſaid, That the Secretary of this Iſland for the Time being, or his lawful Deputy, ſhall not deliver any Perſon a Ticket, under the Hand of, or to be ſigned by the Governor, or Commander in chief, Lieutenant-governor, or Preſident of the Council for the Time being, to go off this Iſland, unleſs his or her Name have been ſet up in the Secretary's Office one and twenty Days, otherwiſe that he take good Security for the paying ſuch Perſons Debts ſo departing; which the Se-

Secretary not to give a Ticket to go off the Iſland, till the Perſons Names have been ſet up in the Office.

1711.

cretary is bound to obſerve, under the Penalty of being liable himſelf to ſatisfy all the Creditors of ſuch Perſon or Perſons ſo obtaining a Ticket, or Maſters or Miſtreſſes of Servants or Slaves carried off by any Maſter of Ship or Veſſel that ſhall not have given ſufficient Security, according to the true Intent and Meaning of this Act, by which the aggrieved Perſon ſhall, by virtue of this Act, have Remedy at Common Law againſt the ſaid Secretary, Deputy-ſecretary, his or their Security.

Proviſo.

IV. PROVIDED always, and it is hereby declared to be the true Intent and Meaning of this Act, That the ſaid Bonds ſo given, as aforeſaid, ſhall be taken in the Queen's Name; but are hereby declared to be only to and for the Uſe and Intent of the Perſon or Perſons concerned; and that when any of the ſaid Bonds ſhall be put in Suit, and Judgement thereupon obtained, the Judgement ſhall remain in the ſame Nature the Bonds were; and that no Execution iſſue out thereupon, before the Perſon grieved ſhall, by *Scire facias*, or other Proceſs, ſummon the Perſon or Perſons, againſt whom the Judgement aforeſaid is obtained, to appear and ſhew Cauſe why Execution ſhould not iſſue upon the Judgement; and if the Plaintiff in the ſaid *Scire facias* ſhall duly prove what Damage he hath ſuſtained, and thereupon a Verdict be found for him, the Judges ſhall, in ſuch Caſes, award Execution for ſo much as the Jury ſhall then find, and no more; and the former Judgement is hereby declared ſtill to remain cautionary, for the Satisfaction of ſuch other of Her Majeſty's Subjects as ſhall legally prove themſelves damnified, and recover the Damages, as aforeſaid, by due Courſe of Law.

Clauſe relating to Perſons taken up at Sea.

V. AND be it further enacted by the Authority aforeſaid, That where any Perſon indebted, Servant or Slave, that ſhall repair from this Iſland any Manner of Way whatſoever, and be taken up at Sea by any Ship or Veſſel, the Maſter of ſuch Ship or Veſſel, and his Security, ſhall be ſubject to the ſame Penalty, as if taken immediately from the Shore.

Proviſo.

VI. PROVIDED, That if the Maſter of ſuch Ship or Veſſel ſhall at the firſt Port he ſhall arrive at, make Oath before any Magiſtrate that he, nor any of his Men, to his Knowledge, never abetted, encouraged, or knew of ſuch Servant or Slaves coming off; but that the ſaid Servant or Slaves, ſo taken up, muſt, in all Appearance, have been drowned, if not taken up; and after ſuch Oath, ſhall take the firſt and moſt convenient Opportunity to return ſuch Servant or Slave to their reſpective Owner; then ſhall not the Maſter, or his Security, be liable to any Penalty, but the Owner of ſuch Servant or Slave ſhall pay the Charges of ſuch Servant or Slaves returned.

Bonds to be ſued in 3 Years.

VII. AND be it further enacted and ordained by the Authority aforeſaid, That if the ſaid Bonds are not ſued within three Years after their ſeveral Dates, they are hereby declared null and void, to all Intents and Purpoſes whatſoever.

Governor to grant a Commiſſion to try Cauſes, upon Oath that the Perſons arreſted are deſigned off the Iſland.

VIII. AND be it further enacted and ordained by the Authority aforeſaid, That the Governor, or Commander in chief for the Time being, may, upon Complaint of any Perſon underwritten or arreſted, grant a Commiſſion, impowering five good able Men, or three of them, whereof one to be a Juſtice of Peace, to be Judge of a ſpecial Court of Expedition, to try the Cauſe or Cauſes of Underwritings or Arreſts, the Party that complains firſt making Oath that he is really deſigned off, and cannot, without Prejudice to his Affairs, ſtay the Proceedings of the uſual Courts of Common-pleas; the ſaid Commiſſioners ſhall be ſworn to do equal Right; they ſhall ſummon the Underwriter, or Party arreſting, to appear and file his Action; and iſſue out their Precept to the Marſhal, to ſummon a Jury; and in caſe the Verdict paſs for the Plaintiff, forthwith to enter Judgement, and iſſue the Execution for immediate Satisfaction, by Appraiſement of the Goods, Chattels, or Effects, or impriſon the Body, if no Effects be ſhewn to ſatisfy the ſame: But if the Plaintiff appear, not being duly ſummoned to proſecute, or, upon Trial, no juſt Cauſe appear for his Underwriting or Arreſting, or

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the major Part of the Debt, or the Sum pretended be not found due, or the ſame appear to be done out of Malice, and with vexatious Intent; in ſuch Caſes the Verdict ſhall be for the Defendant, and Judgement againſt the Party underwriting or arreſting, to pay treble Damages and double Coſts, and Execution to be as aforeſaid; and ſuch Verdict and Judgement ſhall be a perpetual Bar to ſuch pretended Cauſe of Action. 1711.

IX. AND be it further enacted by the Authority aforeſaid, That where any Perſon hath Cauſe of Action, which lies only in Damages, and not in Certainty, he may underwrite for a Sum in Groſs, as the Caſe may require; any thing in this Act to the contrary notwithſtanding. Proviſion where the Cauſe of Action lies only in Damages.

An Act for ſettling the Eſtates and Titles of the Inhabitants of this Iſland to their Poſſeſſions within the ſame. 1712. № 8.

WHEREAS this Iſland hath twice within the Memory of Man been ſubjected to the Conqueſt of a Foreign Enemy, and the Inhabitants tranſported to other Iſlands; and by the unhappy Conſequences thereof, as well as by the frequent Accidents of Hurricanes and Fires, the particular Tenures and Eſtates of this Iſland have not only been ſtrangely transferred from one Owner to another, but many People have loſt all their Writings, Deeds, Conveyances, and other Evidences whatſoever of the Lands and Tenements of which themſelves or Anceſtors have been many Years quietly and equitably poſſeſſed; and even our publick Records have been ſo defaced, torn, or intirely loſt, that no Recourſe can in many Caſes be had thereunto; ſo that the preſent Proprietors of Lands may be liable to many vexatious Suits and difficult Proofs for their Tenures, unleſs the ſame be remedied by Law: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, *Walter Douglas* Eſquire, Captain-general, and Governor in chief in and over Your Majeſty's Leeward Carribbee Iſlands, the Lieutenant-governor, Council, and Aſſembly of this Iſland, taking into our moſt ſerious and deliberate Conſideration, how the ſeveral dubious and diſputable Titles to Tenures in this Iſland may be beſt confirmed, and the Owners thereby encouraged to a thorough Settlement of the ſame, pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is enacted by the Authority aforeſaid, That no Title of Her Moſt Sacred Majeſty ſhall be revived or put in ſuit on account of the Re-conqueſt of this Iſland; but that every Proprietor of Land within this Iſland ſhall be deemed and adjudged legally inſtated and reinveſted in ſuch Eſtate of Lands or Tenements, as he, his Anceſtors, or they, whoſe Eſtate he hath legally had at the Time of this Iſland being ſurrendered to the *French*, in the Year of our Lord One thouſand ſix hundred eighty and nine; and that no old obſolete Titles to any Lands may be revived, to occaſion any vexatious Diſputes.

No Titles to be put in ſuit on account of the Re-conqueſt of this Iſland.

II. IT is likewiſe enacted by the Authority aforeſaid, That if any Perſon or Perſons now in Poſſeſſion of any Lands, Tenements, or Hereditaments within this Iſland, have or hath quietly, and without lawful Interruption, enjoyed the ſame, ſeverally or ſucceſſively, by the Space of five Years, before the Beginning of the aforeſaid late War, in the Year of our Lord One thouſand

Perſons poſſeſſed of Eſtates 5 Years before the late War, to remain ſo.

1712.

ſand ſix hundred eighty and nine, and from the Re-conqueſt of this Iſland to this preſent Time, without any legal Claim thereunto in a Court of Record made before the Date of this Act; that ſuch Perſon or Perſons now in Poſſeſſion ſhall have good Right and Title to the ſame, againſt all Perſons whatſoever, for and during the Eſtate whereof he or they are poſſeſſed.

The ſame to be a good Plea in Bar of any Actions concerning Titles of Land.

III. And it is hereby further declared and enacted by the Authority aforeſaid, That in all Actions concerning Titles of Land, it ſhall be a good Plea, in Bar of ſuch Actions, for the Defendant to alledge, that he and they, whoſe Eſtate he lawfully hath, and ought to have, have been in quiet and peaceable Poſſeſſion of the ſaid Lands in queſtion, for and during the Space of five Years, before the Beginning of the aforeſaid late War, and from the Re-conqueſt of this Iſland to this preſent Time; and this Plea duly entered, ſhall bar the Plaintiff or Demandant, unleſs he can diſprove the ſame, or make it appear that the ſaid firſt five Years Poſſeſſion incurred during the Time that the ſaid Plaintiff or Demandant, his Anceſtor, or they whoſe Eſtate he demands, was under the Age of twenty one Years, a Woman under Coverture, of unſound Memory, or that the Defendant or Tenant hold the ſame, as his or their Attorney or Tenant, Servant or Overſeer, or by virtue of ſome particular Eſtate, for Years, Life, by the Courteſy, in Dower or in Tail, which, at or before the Time of the Action brought, was expired. Provided always, this foregoing Clauſe, or any thing therein contained, ſhall not be pleaded in Bar for three Years next enſuing the Date hereof; but that it ſhall or may be lawful for any Perſons to commence their Suit in that Time, for any Land they ſhall conceive they have a Right or Title to, and plead their Title Prior to ſuch firſt five Years Poſſeſſion; any thing in this foregoing Clauſe to the contrary notwithſtanding.

Exception.

Clauſe relating to Conveyances of Land by the *French*.

IV. And whereas ſeveral Subjects of the *French* King did, at their Conqueſt of this Iſland, in the Year of our Lord One thouſand ſix hundred and ſixty ſix, pretend to buy of the *Engliſh* ſeveral Plantations or Parcels of Land, and gave ſome ſmall Conſideration therefore; which, by the Treaty of Peace concluded between the two Crowns at *Breda*, was aſcertained and confirmed to ſuch *French* Purchaſers, unleſs the *Old Engliſh* Proprietors did, within a Day certain, as by the ſaid Articles of Peace may appear, repay the Price of the firſt Purchaſe, and all Meliorations thereon; which many failing or neglecting to do, the *French* remain poſſeſſed thereof, till they, for valuable Conſiderations, ſold again to the *Engliſh*, or otherwiſe forfeited the ſame; by which ſecond Purchaſe or Grants, very many Tenures are now held in this Iſland: It is therefore enacted by the Authority aforeſaid, That all Conveyances and Aſſignments of Land made by any ſuch *French* Subject, who was in Poſſeſſion of ſuch Land after the lapſe of the Time limited in the aforeſaid Articles of *Breda*, ſhall be good and valid in Law; and all Grants of Land forfeited before the Year of our Lord One thouſand ſix hundred eighty nine, by ſuch *French* Subjects, and given under the Great Seal of theſe Iſlands by any then chief Governor, ſhall be likewiſe good and valid in Law; and ſuch Conveyances, Aſſignments, or Grants, ſhall be pleaded in Bar of any Right or Claim, Prior to ſuch *French* Subjects Poſſeſſion.

V. And whereas many of the ſaid *French* Subjects, who continued to hold their Lands in the *Engliſh* Quarters, by virtue of the Articles of *Breda*, until the breaking out of the aforeſaid late War, did then renounce the Protection of the *Engliſh*, remained with the *French*; and after the Re-conqueſt of this Iſland by us, they abdicated their Poſſeſſions, and went off with the other *French* Subjects: And whereas many *Iriſh* Subjects of the *Engliſh* Crown did at that Time, contrary to their Allegiance, go into open Rebellion, aſſiſt the *French*, to ſubdue the *Engliſh* Part of this Iſland, and remained with them in profeſſed Hoſtility againſt their natural Prince; now nothing was more reaſonable and conſonant to the Practice of all Nations, than that their Perſons

ſons ſhould have been forthwith attainted, and their Eſtates confiſcated to the Uſe of Their then Moſt Sacred Majeſties, Their Heirs and Succeſſors; which, however, for want of a Civil Adminiſtration of the Government of this Iſland, for many Years after the Re-conqueſt of the ſame, was not done in ſuch Form as by Law is required; their Lands, notwithſtanding for better ſettling and ſtrengthening this Iſland, which otherwiſe was very weak, were given and granted by the then chief Governor, with Conſent of the Council of this Iſland, under the Great Seal of theſe Iſlands, to ſeveral People, who by their Induſtry have much improved the ſame, and ſtrengthened this Iſland thereby: To the End therefore that the good Subject may be encouraged, and a Brand of Infamy ſet upon Treachery, Perfidy, and Rebellion, it is declared and enacted by the Authority aforeſaid, That all the Lands and Plantations in the *Engliſh* Quarters of any *French* Man or Woman, who quitted and deſerted the ſame, upon our re-taking this Iſland, and went off with the other *French* Subjects, and died, or yet ſurvive in the Dominions of the *French* King, as well as all the Lands of any *Iriſh*, or other natural Subjects of *Great Britain*, who, at the Time aforeſaid, appeared in Rebellion, and received the Protection of the *French*, were juſtly forfeited to, and legally veſted in Their late Moſt Sacred Majeſties, Their Heirs and Succeſſors; notwithſtanding any Deficiencies or want of Proceedings, heretofore neglected, for the more regular and formal Confiſcation of the ſame, all which this preſent Law ſhall be deemed and conſtrued to anſwer and ſupply. 1712. Forfeited Lands veſted in the Crown.

VI. And it is further declared and enacted by the Authority aforeſaid, That the ſeveral aforeſaid Grants of ſuch Lands or Hereditaments under the Great Seal of theſe Iſlands, ſhall be, and be adjudged firm and valid in Law, and the ſeveral Patentees ſhall have thereby a good and indefeaſible Title to the ſame in Fee-ſimple; and that as well all Perſons who have ſo forfeited and loſt their Tenures and Eſtates, as their Heirs and Aſſigns, ſhall be utterly barred to claim the ſame, to all Intents and Purpoſes whatſoever; this Act to be duly pleaded in Bar, or given in Evidence to a Jury upon the Trial of any ſuch Right. Grants of ſuch Lands adjudged valid in Law.

VII. And whereas the Laws and Cuſtoms of this Iſland have ever directed, that Lands ſhould be taken in Execution for want of other perſonal Eſtate; and that not only in Judgements of Debt between Party and Party, but likewiſe on account of all publick Levies and Aſſeſſments which have been raiſed in this Iſland, whereby many Tracts or Parcels of Land have formerly and of late been expoſed and ſold at publick Outcry, or by Appraiſement, by the Provoſt-marſhal, or his lawful Deputy; and it is but juſt, that the lawful Purchaſer, who paid a valuable Conſideration, and bought under the Security of a Law of this Iſland, ſhould be aſcertained of his Eſtate: It is further enacted by the Authority aforeſaid, That all Bills of Sale made under the Hand and Seal of any Provoſt-marſhal, or his lawful Deputy, and according to the known Uſage and Practice of this Iſland, ſhall be good and valid to any Purchaſer, or his Heirs, againſt the former Proprietor, and his Heirs, or any claiming from, by, or under him or them, or any of them, by any Deed or Conveyance made after the Execution levied on the ſaid Lands; notwithſtanding, that the Records, or Law of this Iſland, whereon ſuch Execution and Bill of Sale are founded, may, by the late Unhappineſs and Confuſion of our Times, be defaced or loſt. Provided nevertheleſs, That this Clauſe ſhall not extend, or be conſtrued to juſtify or ſave harmleſs any Provoſt-marſhal, Deputy-marſhal, or other Officer whatſoever, in any illegal Practice or undue Execution of their Office. Clauſe relating to Lands ſold at publick Outcry.

VIII. And be it further enacted by the Authority aforeſaid, That no Want of Method, or of ſufficient and legal Words to create Inheritances to them and their Heirs; nor any Impropriety of Speech, which, through the Ignorance of former Times, are frequently found in old Deeds, ſhall any way

1712. viciate or make void any Deed, Grant, Deviſe, or other Conveyance whatſoever: And where any Perſons poſſeſſed of, and intitled to any Lands, according to the true Intent and Meaning of this Act, have loſt their Writings for the ſame; in ſuch Caſe he may affirm his Title and Poſſeſſion for ſo many Years, as required by this Act, by two or more credible Oaths of the ancient Neighbourhood, which ſhall be accounted ſufficient Proof, unleſs more convincing Evidence can be brought to the contrary; and ſuch Perſons may at all Times repair unto his preſent Excellency, or other chief Governor in Council, for the full Confirmation of their Eſtates and Tenures, and then and there ſhall and may receive ſuch full Confirmation and Aſſurance, under Her Majeſty's Great Seal of theſe Iſlands, as they can reaſonably adviſe or deſire.

Titles to be affirmed by living Witneſſes, where Writings are loſt.

1711. N° 9. Obſolete. ***An Act for raiſing an Impoſt upon Liquors imported into this Her Majeſty's Iſland.***

N° 10. ***An Act for regulating the Veſtries.***

WHEREAS it is highly neceſſary that there ſhould be Veſtries choſen for every Pariſh in this Iſland, for raiſing Levies and Taxes, for the defraying all Charges relating to the Churches within the reſpective Pariſhes of this Iſland; we, Your Majeſty's moſt humble, loyal, and obedient Subjects, the Governor in chief, Lieutenant-governor, Council, and Aſſembly of this Your Majeſty's Iſland of St. *Chriſtopher*'s, pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is enacted, by and with the Authority aforeſaid, That all and every the Freeholders and Houſholders within this Iſland, ſhall repair to their reſpective Pariſh Churches, or, for want of the ſame, to ſuch Place or Places, as ſhall be appointed by the reſpective or neighbouring Juſtices of each Pariſh, every Year ſucceſſively, ſome Day in *Eaſter-week*, and there, by free Votes, elect ſix of the ableſt Freeholders or Houſholders in each Pariſh, to ſerve as Veſtrymen; who, with the Miniſter, ſhall then and there chooſe two fit Perſons to ſerve as Church-wardens, one to be elected or nominated by the Veſtry, the other by the Miniſter.

Veſtrymen, &c. to be elected every Year in *Eaſter-week*.

II. AND be it enacted by the Authority aforeſaid, That they, the Veſtrymen and Church-wardens, or the major Part of them, have hereby full Power and Authority to manage all Buſineſs of the ſaid Pariſh; to ſettle Rules, and aſſeſs

Their Duty.

1711.

aſſeſs Rates, for the defraying Pariſh Charges; and to ſettle all the Fees and Perquiſites of the Miniſters, Clerks, and Sextons; and build and erect Churches, out of the Fund ſo raiſed by them; and to diſcharge and perform all other Duties, in Behalf of their ſaid Pariſhes, or belonging to their Offices, and the Truſt repoſed in them; and the ſaid Rates ſo made by them, being publiſhed on *Sunday* in the ſaid Pariſh Churches, or other Places appointed for God's Worſhip, ſhall be deemed firm and authentick: And in Caſe of any Perſon's refuſing to pay his Proportion of the ſaid Rates, upon a reaſonable Demand, Executions, under the Hands and Seals of the Commander in chief, Lieutenant-governor, or Preſident, to be granted for levying and paying the ſame; and whatſoever Goods ſhall be attached, at the Expiration of ten Days after the Attachment, ſhall be ſold at publick Outcry, at the Gate or Entrance of the Church-yard, by the Church-wardens of the ſaid Pariſh; and if there be any Overplus, the ſame ſhall be returned to the Owners thereof.

III. And whereas, for want of a Miniſter in ſeveral Pariſhes, Church-wardens and Veſtrymen have not been hitherto regularly choſen in *Eaſter-week*, and may chance hereafter to be neglected on the like Occaſion; be it therefore enacted by the Authority aforeſaid, That all Church-wardens and Veſtrymen, now acting as ſuch in their ſeveral Pariſhes, although not choſen on *Monday* in *Eaſter-week*, be fully confirmed in all the Powers and Authorities granted by this Act; and continue to act as ſuch until *Eaſter* next, when a new Election ſhall be: And if a Miniſter ſhall be at any Time preſented to a Pariſh, where there ſhall happen to be no Church-wardens and Veſtrymen ready choſen, then ſhall all and every the Freeholders and Houſholders within the ſaid Pariſh, upon due Notice to be given them by a Juſtice of Peace, forthwith proceed to the Election and Nomination of a Veſtry and Church-wardens, according to the Directions of this Act; and the Perſons ſo choſen, ſhall remain in ſuch Office until the *Eaſter* after.

Clauſe to confirm Veſtrymen, &c. choſen before this Act.

IV. And be it further enacted by the Authority aforeſaid, That in every Pariſh Church ſhall be kept two large Paper Books, for the publick Service of the ſaid Pariſh; one whereof ſhall be kept for the Pariſh Accounts, by the Church-wardens, the other as a Regiſter for Chriſtnings, Marriages, and Funerals, to be kept by the Miniſter only; and the Church-wardens are and ſhall hereby be obliged to deliver up and balance their Accounts with the Gentlemen of the Veſtry, at their being diſcharged of the ſaid Office.

Two Books to be kept in every Pariſh Church.

V. And be it further enacted, That no Perſons ſhall be compelled to ſerve as Church-wardens longer than for one Year ſucceſſively, from the Time of their being elected, either by a Continuance, or a ſucceeding Election: And whatſoever Default ſhall be made by any Church-wardens, in collecting all the Rates and Aſſeſſments made by the Veſtry, ſhall be made good by them, or either of them ſo neglecting. Provided always, That an Execution be granted and lodged in their Hands to that Purpoſe, as is before provided; and in Caſe of Non-performance, the ſame ſhall be levied on their Goods and Chattels, by Warrant under the Hand and Seal of the Commander in chief, Lieutenant-governor, or Preſident of the Council for the Time being, directed to the Provoſt-marſhal, or his lawful Deputy.

Church-wardens not to ſerve above a Year.

VI. And be it further enacted by the Authority aforeſaid, That the Miniſter and Church-wardens, or any of them, have hereby full Power, as Occaſion ſhall require, to ſummon and convene, at the Pariſh Churches, or Places appointed, as aforeſaid, the reſpective Veſtrymen, to debate and conſult about the Pariſh Affairs; and whatſoever Veſtrymen, Church-wardens, or other Officers required to appear, Notice being given at his or their Houſes, ſhall fail to meet accordingly, ſuch Excuſe not being given or ſent as the Miniſter and Veſtry ſhall approve or allow of, ſuch forfeit Twelve Shillings; to be levied by Warrant of Diſtreſs from the next Juſtice of the Peace, to be directed to the next Conſtable; and the ſame to be applied to the Uſe of the Poor of ſuch

Miniſter and Church-wardens to convene Veſtrymen.

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ſuch Pariſh; the Conſtable to be allowed one third Part for his Trouble; and in Caſe of Refuſal, to be committed to the common Gaol, until he ſhall perform the ſame.

Penalty on refuſing to ſerve when elected,

VII. AND be it further enacted by the Authority aforeſaid, That whatſoever Perſons ſhall duly be elected, either for Veſtrymen or Church-wardens, and ſhall refuſe to ſerve in the ſaid Capacities; he or they ſo refuſing, ſhall forfeit the Sum of Twelve Pounds current Money of this Iſland; to be recovered by the Church-wardens in an Action of Debt in any Court of Record in this Iſland, which ſhall be for the defraying of the publick Charge of the ſaid Pariſh; wherein no Eſſoign, Protection, or Wager in Law ſhall be allowed of.

№ 11. *An Act to oblige the Members of the Council and Aſſembly of this Iſland to meet punctually and exactly at ſuch Time and Place, when and ſo often as they ſhall be legally ſummoned; as alſo to ſerve, when duly elected.*

WHEREAS the publick Good and Welfare of this Iſland hath of late been very much prejudiced and detarded, for want of a due and exact Meeting of the Council and Aſſembly, at the Time and Place appointed by legal Authority: To the End therefore that all ſuch Inconveniences may for the future be removed, we, Your Majeſty's moſt dutiful and loyal Subjects, *Walter Douglas* Eſquire, Captain-general, and Governor in chief in and over Your Majeſty's Leeward Carribbee Iſlands in *America*, the Honourable the Lieutenant-governor, Council, and Aſſembly of this Iſland, do humbly pray Your Moſt Excellent Majeſty it may be enacted and ordained; and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That when and ſo often as the Council and Aſſembly of this Iſland ſhall be legally ſummoned or appointed to meet at any certain Place, each reſpective Member of both Houſes ſhall, and hereby are obliged to appear, and be ready to proceed upon Buſineſs by the Hour of Nine of the Clock in the Morning (Sickneſs, Abſence from the Iſland, or ſome extraordinary Accident or Occaſion only excepted, which ſhall be judged and allowed, or diſſallowed of by the Majority of Votes, to which Houſe ſuch ſaid abſent Member doth belong) and the Perſon or Perſons ſo adjudged abſent by Wilfulneſs or Neglect, ſhall for each and every Offence forfeit and pay, if a Counſellor, the Sum of three Pieces of Eight; and if a Member of the Aſſembly, the Sum of eighteen Shillings current Money; to be forthwith paid and depoſited into the Hands of the Clerk of each Houſe, to be diſpoſed of for ſuch Uſes, as by the major Part of each reſpective Houſe ſhall be agreed upon; and in Caſe of Refuſal, or Non-payment of any ſuch Fines and Forfeitures of all or any ſuch Delinquents, in Manner as aforeſaid, the Marſhal ſhall diſtrain for the ſame, by Warrant under the Hand and Seal of the Lieutenant-governor, or Preſident of the Council, and the like Warrant from the Speaker of the Aſſembly.

Members of the Council legally ſummoned, to meet by 9 of the Clock in the Morning.

Penalty on Abſence.

II. AND foraſmuch as the Provoſt-marſhal of this Iſland, by himſelf or Deputy, hath often been negligent and remiſs in giving timely Notice and Warning

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Warning to the Members of each reſpective Houſe, of the Time of their meeting, when he hath been ordered (according to his Duty) by lawful Warrant or Writ from the chief Authority of this Iſland to do the ſame; be it further enacted by the Authority aforeſaid, That the Provoſt-marſhal, or his lawful Deputy for the Time being, by himſelf or Deputy, ſhall always for the Time to come, after the Date of this Act, give and deliver Notice in Writing, under the Hand of the Clerk of the Council, unto each Member thereof at their Houſes and Plantations, either perſonally to themſelves, or ſome of their Families; and the like Summons or Warning to the reſpective Members of the Aſſembly, by legal Writ or Precept, under the Hand and Seal of the General, or Commander in chief, Lieutenant-governor, or Preſident for the Time being; and that all ſuch Notice and Summons, ſo given in Manner as aforeſaid, ſhall be full twenty four Hours before the Day of meeting, unleſs by ſpecial Warrant, and upon emergent Occaſions, it ſhall be otherwiſe appointed or directed by the Authority aforeſaid: And in caſe the ſaid Provoſt-marſhal, by himſelf or Deputy, ſhall neglect or omit his Duty, by this Act injoined him, he ſhall for each and every ſuch Offence forfeit and pay the Sum of Forty Shillings; which ſhall be deducted, ſatisfied, and diſcharged out of his Salary or Account due to him, or which afterwards ſhall become due to him from the Publick of this Iſland, which the Treaſurer for the Time being ſhall take Care to ſee done and performed, by an Order in Writing, under the Hand of the General, or Commander in chief, Lieutenant-governor, or Preſident for the Time being.

24 Hours Notice to be given of ſuch Meeting.

III. And whereas the Members of Her Majeſty's Council, and Repreſentatives of this Iſland, are at vaſt Charge and Expence each Time of their meeting; be it therefore enacted by the Authority aforeſaid, That the ſaid Members of the Council and Aſſembly for the Time being, ſhall, as has been allowed by a former Act to the ſaid Purpoſe, lately expired, from Time to Time, be hereafter likewiſe allowed ſix Shillings current Money each and every of them, towards defraying the neceſſary Charge and Expence at each and every Time of their meeting; which ſeveral and reſpective Sums ſhall be ſatisfied and paid quarterly, by the Treaſurer of this Iſland for the Time being, out of the Fund that ſhall be raiſed upon Tavern Licences.

Allowance to Members.

IV. And to the Intent the Publick Affairs may for the future be better attended, and that there may be no Deficiency for want of a due Number of Aſſemblymen; be it further enacted by the Authority aforeſaid, That each and every Perſon refuſing to ſerve as a Repreſentative of this Iſland when duly elected, ſhall for each and every ſuch Refuſal forfeit and pay the Sum of Fifty Pounds current Money of this Iſland; to be recovered by Warrant of Diſtraint, under the Hand and Seal of the Governor in chief, Lieutenant-governor, or Preſident of this Iſland for the Time being; to be levied by the Provoſt-marſhal, or his lawful Deputy, upon the Goods or Chattels of the Offender, for the Uſe of the Publick of this Iſland, and to be lodged in the Hands of the Treaſurer.

Penalty on Perſons refuſing to ſerve as Repreſentatives.

V. Provided always, and it is the true Intent and Meaning of this Act, That no Perſon having ſerved one Year, ſhall be obliged to ſerve in the Aſſembly of this Iſland the Year following, nor be liable to the Penalty aforeſaid; but ſhall ſtand excuſed for that Year, and no longer; he or they intending to be excuſed, certifying the ſame at the ſeveral Places of Election.

Proviſo.

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№ 12. *An Act for preſerving the Freedom of Elections; and appointing who ſhall be deemed Freeholders, and be capable of electing, or being elected Repreſentatives.*

WHEREAS it hath not hitherto been fully and plainly aſcertained how the Inhabitants of this Iſland ſhall be qualified, to render them capable to elect, or be elected Members of the Aſſembly; from whence manifeſt Diſputes and Controverſies have ariſen: To prevent which for the future, and to obviate any indirect Practices, we, Your Majeſty's moſt dutiful and loyal Subjects, *Walter Douglas* Eſquire, Captain-general, and Governor in chief in and over all Your Majeſty's Leeward Carribbee Iſlands in *America*, with the Lieutenant-governor, Council, and Aſſembly of this Iſland, pray Your Moſt Excellent Majeſty that it may be enacted; and be it enacted by the Authority aforeſaid, That every white Man profeſſing the Chriſtian Religion, the free and natural born Subjects of the Queen of *Great Britain*, or naturalized, who hath attained to the Age of twenty one Years, and hath ten Acres of Freehold; that is to ſay, Who is actually ſeized of ten Acres of Land, in Fee-ſimple or Fee-tail, for Term of his own Life, or Term of another, within any Pariſh in this Iſland; or of any Houſe, Houſes, Store-houſes, or any Buildings in any one of the Towns of this Iſland, of the yearly Value of ten Pounds current Money, which Value ſhall be proved by the Oaths of two credible Witneſſes, or by ſome Leaſe produced and proved by any one of the Witneſſes to the ſame, or the Oath of the Leſſee (if there preſent) ſhall be deemed a Freeholder; and ſhall and may be capable of electing Repreſentatives, or of being elected a Repreſentative.

Qualification of Elections, and Repreſentatives.

II. AND be it further enacted by the Authority aforeſaid, That if it ſhall happen there be two or more Joint-tenant, or Tenants in common, of a Parcel or certain Quantity of Land in any Pariſh of this Iſland, or for any Houſe, Houſes, or Buildings within any one of the Towns of this Iſland, which Parcel of Land contains as many ten Acres, or more, as there are Joint-tenant, or Tenants in common; or which Houſe, Houſes, or other Buildings, ſhall be worth as many ten Pounds a Year, as there are Joint-tenant, or Tenants in common, ſhall be deemed a Freeholder, to all Intents, Conſtructions, and Purpoſes of this Act whatſoever: And no Joint-tenant, or Tenants in common, that ſhall not have for his Share ten Acres of Land, or in the Houſe, Houſes, or other Buildings, ten Pounds a Year, as aforeſaid, if the ſame were equally to be divided, ſhall be eſteemed a Freeholder, to any Conſtruction or Purpoſe of this Act whatſoever.

Clauſe relating to Joint-tenants.

III. AND be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, at any Election of Repreſentatives, ſhall be deemed a Freeholder, qualified to elect, or be elected a Repreſentative, who ſhall produce any Bill of Sale, or other Conveyance of Lands, or other Eſtate, whereby he claims to be a Freeholder, in order to prove his Freehold, which ſhall not have been acknowledged before the Governor for the Time being, or ſome Juſtice of the Court of Common-pleas in this Iſland, and duly recorded in the Secretary's Office preceeding the Date of the Writ for electing of Aſſemblymen; and who ſhall not, with the Perſon who ſold and conveyed the ſaid Freehold (provided the ſaid Perſon be then and there preſent) make Oath before the Perſon, to whom the Writ for electing Repreſentatives is directed, who is hereby authorized and required to adminiſter the ſame, if any Perſon preſent require it, or he himſelf ſhall think meet, That ſuch Deed or

Conveyances of Land to be recorded in the Secretary's Office, and ſworn to, if required,

Deeds

Deeds ſo produced by him, is, and are, *bona fide*, a real and abſolute Deed or Deeds, according to the Purport thereof, without Covin or Fraud, and not made or executed to him under Colour, only to make him capable to chooſe, or be choſen a Repreſentative; and that he is in actual Poſſeſſion of the ſaid Lands or Houſes, and receiveth to his own Uſe all the Profits thereof; and is under no Promiſe or Obligation whatſoever, to give up or ſurrender the ſaid Deed or Deeds, ſold or conveyed at any Time after he ſhall have voted, or ſhall be elected: Except nevertheleſs, ſuch Perſon or Perſons, who claim to be Freeholders by any Deed or Deeds executed in *Great Britain* or *Ireland*, for Conveyance of any Land in this Iſland, and authentickly proved in *Great Britain* or *Ireland*, and here proved ſo to have been, and ſhall be recorded in the Secretary's Office of this Iſland: Except ſuch alſo, who claim by any laſt Will and Teſtament, duly proved and recorded in the Secretary's Office; and the ſaid Perſon, to whom the Writ is directed, is further hereby impowered and required to aſk ſuch other Queſtions upon Oath concerning the Freehold, and Qualification of any Perſon offering to elect, or ſtanding to be elected, of him, or of the Perſon who ſold and conveyed the Freehold, as to him ſhall ſeem meet, or ſhall be required by any Freeholders preſent. 1711.

IV. AND be it further enacted by the Authority aforeſaid, That if any Perſon, offering to elect, or ſtanding to be elected, ſhall refuſe to take ſuch Oath as above; the ſaid Perſon ſo refuſing, ſhall abſolutely be debarred from giving his Vote for electing, or from being elected a Repreſentative for that Time. Or the Perſons debarred from giving their Vote, or being elected.

V. AND be it further enacted by the Authority aforeſaid, That all Writs of Election of Aſſemblymen ſhall be iſſued by the Governor in chief, or, in his Abſence from this Iſland, by the Lieutenant-governor, or Preſident of the Council for the Time being, by and with the Conſent of the Council, in the uſual Form, and directed to the ſeveral Members of Her Majeſty's Council of this Iſland; and that all ſuch Writs ſhall be iſſued forth at leaſt ſeven Days before the firſt Day of Election; and the ſeveral Freeholders of each Pariſh ſhall be ſummoned three Days at leaſt before their reſpective Days of Election. Writs by whom to be iſſued.

VI. AND to prevent any Diſputes or Miſtakes in taking the Votes, the Perſons, to whom the Writs ſhall be directed, ſhall, in a Paper of ſeveral Columns, ſet down the Names of the ſeveral Freeholders propoſed to be voted for, and ſhall cauſe each Voter to ſubſcribe his Name, or ſet his Mark under the Perſon's Name he votes for; which Paper of Votes ſhall be delivered unto the Repreſentatives at their firſt meeting as an Aſſembly. Manner of taking Votes.

VII. AND be it further enacted by the Authority aforeſaid, That upon calling an Aſſembly, no two Diviſions, or Pariſhes, ſhall chooſe or elect Repreſentatives in one and the ſame Day; but that the Elections ſhall begin at the Pariſh of St. *Mary Cayonne*, as formerly, between the Hours of Eight and Nine, and ſhall continue, without Interruption, till the Votes ſhall be ſhut up and finiſhed, which ſhall not be before the Hour of Twelve at Noon at ſooneſt; and ſo the Pariſh of *Chriſt Church*, *Nichola Town*, St. *John Capiſter*, St. *Anne*, *Sandy Point*, St. *Thomas*, *Middle Iſland*, and *Trinity Palmato Point*, ſhall, ſucceſſively, Day after Day, and at the Hours aforeſaid, convene at ſome convenient Place within their reſpective Pariſhes, to elect Repreſentatives for the ſame in the Aſſembly of this Iſland, as aforeſaid. Time of electing.

VIII. AND becauſe every Diviſion may not be ſupplied with fit and able Perſons, who have their Eſtates of Freehold in the ſame, to repreſent the ſame; be it enacted by the Authority aforeſaid, That whoever hath a ſufficient Eſtate of Freehold in any one Pariſh of this Iſland, may be elected to ſerve as a Repreſentative for any other Pariſh, although not actually ſeized of any Eſtate of Freehold within the ſame. Freeholders of one Pariſh may be choſen for another.

IX. AND

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Repreſentatives not taking the Oaths, &c. incapable of ſerving.

IX. And if any Perſon, returned a Repreſentative, ſhall refuſe to take the Oaths appointed by Act of Parliament, and ſubſcribe the Declaration, likewiſe appointed by Act of Parliament, which Oaths and Declaration are alſo required by Her Moſt Sacred Majeſty in Her Commiſſion to Her chief Governor, to be taken and ſubſcribed by every Perſon choſen to ſerve in the Aſſembly of this Iſland; and the Perſon refuſing to take and ſubſcribe the ſaid Oaths and Declaration, is declared and ordered by Her Majeſty to be incapable to ſerve in the ſaid Aſſembly, although choſen; upon which Occaſion, or, if any Member of the Aſſembly ſhould die, or depart this Iſland, then the chief Governor, Lieutenant-governor, or Preſident of the Council for the Time being, with the Advice and Conſent of the Council, ſhall, within twenty Days after ſuch Refuſal, Death, or Departure, iſſue forth a new Writ, as before in this Act is appointed, for chooſing another Perſon to ſerve in that Aſſembly, in the Place of ſuch Member ſo refuſing, dead, or departed this Iſland.

Perſons violating the Freedom of Elections,

X. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall preſume to violate the Freedom of Elections, by any falſe Returns, Menaces, or Threats, or endeavour to force any Freeholder to vote for any Perſon or Perſons againſt his own Inclinations and Conſcience, either by calling the Inhabitants into Arms, by making Sham-freeholders, or hire by any other indirect ways, procure any Vote; or who, after the Election is over, ſhall menace, diſpitefully uſe or abuſe any Freeholder, becauſe he hath voted not as he would have had him; or if any Military Officer, or Civil Magiſtrate, ſhall, by virtue of his Power and Office, endeavour or attempt to over-awe or affright any Freeholder to vote contrary to his own Conſcience and Inclination; the Perſon or Perſons offending in any of the aforeſaid Inſtances, ſhall, upon due Proof made of his Violence, or other indirect Practices, before the Aſſembly for the Time being, who are hereby impowered to examine upon Oath any Perſon or Perſons, and to ſend for Papers and Records, for Diſcovery thereof.

XI. And whoſoever ſhall refuſe to deliver ſuch Papers, ſhall be committed to Gaol, till he deliver the ſame, by Warrant under the Hand and Seal of any Juſtice of the Peace, directed to the Provoſt-marſhal of this Iſland, or his lawful Deputy, who is hereby required him or them in ſafe Cuſtody to keep, until he deliver the ſame; ſhall be bound over to the next general Seſſions of the Peace, by any two Juſtices of the Peace, one whereof to be of the *Quorum*, for this Iſland, the Perſon offending in one hundred Pounds current Money, and two Sureties in fifty Pounds current Money; to be of good forfeit 50 *l.* Behaviour, abide the Sentence of the ſaid Court; who are hereby impowered, if the Offender or Offenders ſhall be found guilty, and convicted of ſuch Offence, to impoſe and lay a Fine of fifty Pounds current Money of this Iſland, on every ſuch Offender, and to commit the Offender or Offenders to Gaol, without Bail or Mainprize, till the ſame be paid; which Fine ſo impoſed, ſhall be one Half to Her Majeſty, Her Heirs and Succeſſors; to be paid to the Treaſurer for the Time being, for the Uſe of the Fortifications in this Iſland; and the other Half to the Party or Parties grieved.

and incapable to ſit, tho' elected.

XII. And if any Perſon offending as aforeſaid, be choſen a Member of the Aſſembly of this Iſland, after Conviction of ſuch illegal Practices before the Aſſembly for the Time being, by a Vote of the Aſſembly; every ſuch Perſon ſo offending, ſhall be incapable to ſit as a Member of that preſent Aſſembly, and be further liable to the Fines and Forfeitures, and be proceeded againſt, as in the foregoing Clauſes is appointed.

XIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall cauſeleſsly, and without juſt Ground, inform againſt, charge, or impeach any Perſon to be an Offender againſt this Act; in ſuch Caſe, every Perſon ſo informing, charging, or impeaching, as aforeſaid, who doth

doth not make good the ſame; and alſo every Juſtice of the Peace, who ſhall refuſe or neglect to do his Duty, in and by this Act injoined and required of him, ſhall forfeit the Sum of Fifty Pounds current Money of this Iſland to Her Majeſty, Her Heirs and Succeſſors, for the Uſes aforeſaid; to be recovered by the Treaſurer for the Time being, by Action of Debt, Bill, Plaint, or Information in the Court of Common-pleas to be held for this Iſland; provided ſuch Action be brought within the three firſt Courts of Common-pleas which ſhall be held after the Offence. 1711. Penalty on Juſtice neglecting his Duty.

XIV. And to prevent perpetuating Aſſemblies, and the Inconveniencies that may ariſe thereby; be it enacted by the Authority aforeſaid, That this preſent Aſſembly, nor any future Aſſembly to be held within this Iſland, ſhall be and continue any longer than for one whole Year from the Time of their firſt meeting as an Aſſembly, fully to be completed and ended: And the Elections hereafter to be made of Freeholders to ſit in the Aſſembly of this Iſland, ſhall be held and deemed to continue of force no longer than for and during the Term of one whole Year, and to be reckoned from the Time of their firſt meeting, as aforeſaid. Aſſemblies to continue but one Year.

XV. And in caſe any Difference or Diſputes ſhall happen to ariſe about the Elections or Qualifications of Repreſentatives, be it further enacted by the Authority aforeſaid, That for the future the Truth and Legality of all Elections and Qualifications of any Member or Members, choſen to ſerve in the Aſſembly of this Iſland, ſhall be tried only by the Repreſentatives themſelves; and the Members of the Aſſembly ſhall, by Plurality of Voices, decide all ſuch Diſputes and controverted Elections, according to the Rights and Privileges of the Repreſentatives in the Honourable Houſe of Commons in *Great Britain*; and that no Practice or Proceeding to the contrary hereof heretofore had or done, ſhall be drawn into Example or Precedent, to the Prejudice of the People of this Iſland. Diſputes about Elections how to be decided.

An Act for repairing the Queen's Fortifications of Charles Fort *and* Brimſtone-hill, *and raiſing other Works.* N° 13. Expired,

An Act for repairing Her Majeſty's Highways. N° 14.

WHEREAS the Highways and common Paths of this Iſland have of late been very much neglected, and ſuffered to grow out of repair, to the great Annoyance of all Travellers: Therefore, that it may be duly re-

1711. medied for the future, we, Your Majeſty's moſt dutiful and loyal Subjects, *Walter Douglas* Eſquire, Captain-general, and Governor in chief in and over Your Majeſty's Leeward Carribbee Iſlands in *America*, together with the Lieutenant-governor, Council, and Aſſembly of this Iſland, humbly pray Your Moſt Excellent Majeſty that it may be enacted; and be it enacted by the Authority aforeſaid, That all or any two Juſtices of the Peace in each Pariſh, and if there be not two Juſtices in any Pariſh, then ſhall the neareſt two Juſtices meet early on the third Day of *January*, or within fifteen Days after, and, by Warrant under their Hands and Seals, nominate and appoint one or two ſufficient Inhabitants of the ſaid Pariſh to be Surveyor or Surveyors of the Queen's Highways, for one Year next enſuing; and every Perſon nominated, being duly notified thereof, ſhall undertake the Office, and, within ten Days, procure himſelf to be ſworn before one or more of the ſaid Juſtices, diligently and faithfully to execute the Office of Surveyor of the Highways in that Pariſh, for one Year next enſuing; and if any Perſon refuſe to accept the Office, and to procure himſelf to be ſworn, he ſhall forfeit and pay the Sum of Twenty Pounds; to be levied (after Refuſal of Payment on Demand) by Diſtreſs on his Goods and Chattels, and Sale thereof, by Warrant under the Hands and Seals of two Juſtices of the Peace, directed to the Conſtables of the Pariſh; which Forfeiture ſhall (after Juſtices and Conſtables cuſtomary Fees firſt deducted) be towards defraying any Pariſh Charges; and in ſuch Caſe the Juſtice ſhall nominate ſome other fit Perſon to execute the Office, who ſhall, upon like due Notice, take upon him the Office, under the ſame Penalty.

Two Juſtices to appoint Surveyors.

Penalty on refuſing the ſaid Office.

Proviſo. II. PROVIDED always, That no Perſon ſhall be liable to any Penalty, for his Refuſal to ſerve as Surveyor of the Highways, who ſhall prove to the Juſtices of Peace, that there are other Perſons legally qualified, and reſiding in the Pariſh, who have not ſerved the ſaid Office ſince himſelf laſt did, or that he fined for the ſame; and if ſuch Juſtices ſhall not admit the ſaid Plea, then the Party conceiving himſelf to be aggrieved, may appeal to the Governor and Council, for their final Approbation or Diſallowance of ſuch his Nomination to that Office.

III. BUT whereas this Act doth not take place until *January* next, and the Highways do at preſent extremely want cleaning and repairing; be it enacted by the Authority aforeſaid, That the Juſtices in each Pariſh do, within ten Days after Publication of this Act, iſſue forth their Warrant to the ſeveral laſt nominated Surveyors within each Pariſh, forthwith to proceed, with a convenient Number of Negroes, to cleanſe and amend the Highways and Paths in ſuch Manner as they have hitherto uſually done.

Former Surveyors to proceed till Commencement of this Act.

IV. AND be it further enacted by the Authority aforeſaid, That the Surveyor or Surveyors ſo appointed, ſhall, within ten Days after being ſworn, and within three Days after all great Rains, view the ſeveral Highways in his or their Pariſh; and when they ſhall want repairing, ſhall iſſue forth his or their Warrants to the Conſtable or Conſtables of the Pariſh, to ſummon the ſeveral Inhabitants, by themſelves or Overſeers, to attend with ſuch Proportion of their Negroes (not exceeding one fourth Part, according to the Liſt laſt taken upon Oath by the Juſtices of Peace, a true Copy of which Liſt the Juſtices who took the ſame, ſhall, upon reaſonable Demand, deliver to the Surveyor, or forfeit the Sum of Five Pounds for ſuch his Refuſal) as he ſhall therein direct, with their neceſſary Utenſils; and all Houſholders, who have not Negroes, to attend in Perſon; who at the Time appointed are to begin at one End of the Pariſh, and continue from Day to Day, until the lower and upper Highways, and all other common Highways in ſuch Pariſhes as are opened, or ſhall be thought neceſſary to be opened by the Majority of the Freeholders, be ſufficiently repaired; and whoſoever ſhall fail to attend, by himſelf or Overſeer, unleſs upon a reaſonable Excuſe, or neglect to ſend their Pro-

Freeholders to attend with their Negroes when ſummoned by the Surveyors,

or forfeit 6 *s.* *per* Day.

portion

portion of Slaves, ſhall, for himſelf or Overſeer, forfeit the Sum of Six Shillings *per* Day, and for every Slave, Three Shillings *per* Day; which if refuſed to be paid ten Days after demanded by the Surveyor, he ſhall iſſue forth his Warrant, directing the Conſtable to attach ſo much of the Goods and Chattels of the Party offending, as will anſwer the Forfeiture, with Charges; which Goods and Chattels ſo attached, ſhall be ſold at publick Outcry at the Gate of the Pariſh Church-yard at the Expiration of ten Days, of which Notice is to be given a Week, by Publication to be affixed at the ſaid Gate or Entrance into the Church-yard. 1711.

Width of the Roads.

V. AND be it enacted by the Authority aforeſaid, That the Queen's lower Highway, that leads round this Iſland, be at leaſt twenty four Foot wide, and the upper, and other Pariſh Highways, be at leaſt twelve Foot wide; and every Owner or Tenant, in Poſſeſſion of Land joining to any Highway, who are obliged to fence next the ſame, ſhall, ſo often as Occaſion requires, cut, trim, and keep clean all the Trees, Hedges, and Fences within their Plantations, ſo as the ſame may not encroach upon, or be a Nuiſance to the Highway; and in Caſe of any Neglect, the Surveyor or Surveyors ſhall, by Warrant under their Hands, injoin the Tenants or Occupiers of the ſaid Land to ſee the ſame performed; and if the ſaid Tenant or Occupier ſhall neglect to perform the ſame, within ten Days after ſuch Warrant ſerved on them, and be thereof convicted, by the Teſtimony of one or more Witneſſes, before any one Juſtice of the Peace, that then every ſuch Offender ſhall be fined by the ſaid Juſtice the Sum of Six Pounds current Money, and be injoined to perform the ſame within ten Days next enſuing, under the further Penalty of Twelve Pounds like Money.

Penalty if Tenants neglect to trim Hedges, &c. near the Highways.

Clauſe relating to Paths going thro' other Perſons Grounds.

VI. AND be it further enacted by the Authority aforeſaid, That where any Proprietor of Land hath a Right to a Path which goes through another Man's Ground below him, the ſame ſhall be laid out on the Windward or Leeward Side, at the Choice of the Perſon or Perſons, through whoſe Lands the ſaid Path did formerly go, and be made ſufficient cartable, as well up as down; and if there be more than one Path through any Man's Land, then there ſhall be a Path laid out on each Side of the Plantation of the Perſon, in whoſe Lands the Paths do lie; but if the Proprietor of the Lands will not be at the Charge of opening Paths, as aforeſaid, thoſe that go through his Land ſhall be opened, and made twelve Foot wide; and where any Diſpute ſhall ariſe about any Path or Paths, the Surveyors, or one of them, with two Freeholders, one to be made choice of by each Party, ſhall determine the ſame; the Surveyors to ſwear the Freeholders to do Juſtice, without Favour or Affection; and if one Party doth neglect to make choice of a Freeholder, or doth not appear at the Time appointed, the Surveyor and the Freeholder made choice of by the other Party, ſhall determine the Diſpute.

Highways how to be allotted to the ſeveral Surveyors.

VII. AND be it further enacted by the Authority aforeſaid, That one ſufficient Inhabitant of *Baſterre Quarter* ſhall be yearly nominated and appointed by the neareſt two Juſtices, if there be no Juſtices living in the ſaid Quarter, to act as Surveyor, according to the Directions of this Act, with the ſame Authorities, and under the ſame Penalties, as the other Surveyors are by this Act; and to have the Charge and Care of the Highways in thoſe Quarters, from the Bounds of *Trinity Palmato Point* Pariſh, to the Place uſually called by the Name of the *Five Paths*, but ſhall be conſtantly joined and aſſiſted by the Surveyors of *Trinity Palmato Point*, with a Proportion of their Negroes, to cleanſe and to repair the ſame; and the Surveyor or Surveyors of St. *Mary Cayonne* ſhall have the Charge of the Queen's Highways in the *French* Quarters, from *Cayonne* to the aforeſaid Place, uſually called by the Name of the *Five Paths*, and, with a Proportion of their own Pariſh Negroes, aſſiſt the Inhabitants and Negroes of that Precinct to repair the Highways to the Place aforementioned; in like Manner the Surveyor of St. *John Capiſter* to have the

1711. the Charge of, and repair the Queen's Highway in the other *French* Quarter, as far as the Hill leading down *Covent Gutt*; and in like Manner the Surveyor of St. *Anne*, *Sandy Point*, to have the Charge of, and repair the Queen's Highways in the ſaid Quarter, from their own Frontiers to the aforeſaid Hill, eaſtward of *Covent Gutt*; and the Surveyors of *Chriſt Church*, *Nichola Town* Pariſh, and St. *Thomas Middle Iſland* Pariſh, ſhall have under their Care and Charge the *Mountain Path*, and, with the Inhabitants and Negroes of the ſaid Pariſhes, ſhall cleanſe and repair the ſame *Nichola Town* Pariſh, from the Queen's Highway, above *Halfmoon Bay*, to the Bottom of *Nine-lum Gutt*; and *Middle Iſland* Pariſh, from the Bottom of the ſaid *Gutt*, to the Queen's Highway, near the *Old Road*; and whenſoever there ſhall be a ſufficient Number of Negroes, either in *Baſterre* or *White Flag Bay* Quarters, to repair their own Highways, and that they ſhall be appointed ſo to do by the Governor, Council, and Aſſembly of this Iſland, or that they ſhall be reſtored by Her Majeſty to the *French* King; then the Surveyors, Inhabitants, and Negroes aſſiſting to repair the Highways in thoſe Quarters, ſhall aſſiſt in repairing the *Mountain Path*, which is then to be ſixty Foot wide; but where it ſhall be ſettled, twenty four Foot; and the ſaid Path ſhall continue under the Charge of the Surveyors of *Chriſt Church*, *Nichola Town*, and St. *Thomas Middle Iſland*, as aforeſaid.

Penalty on Conſtables,

VIII. And be it further enacted by the Authority aforeſaid, That every Conſtable refuſing or neglecting to execute any Precept of the Surveyors of the Highways; and any Perſon diſturbing him or them in the due Execution of their Office, ſhall forfeit the Sum of Five Pounds for every Offence; to be recovered by Warrant under the Hand and Seal of a Juſtice of the Peace:

Surveyors,

and Juſtices neglecting their Duty.

And any Surveyor being negligent in the Performance of his Duty, ſhall, upon Information and Conviction thereof before any two Juſtices of the Peace, be fined by ſuch Juſtices in their Diſcretion, not exceeding Ten Pounds: And if any Juſtice of the Peace ſhall refuſe or neglect to perform any Duty which is by this Act required of him, ſuch Juſtice, upon Conviction thereof before the Governor and Council, ſhall be adjudged to pay Twenty Pounds; to be recovered by Warrant under the Hand and Seal of the Governor or Preſident for the Time being: And all Fines and Forfeitures ariſing by this Act, and not otherwiſe diſpoſed of, ſhall be one Moiety to the Informer, the other for the Uſe of the Pariſh where ſuch Default was made; to be paid to the Churchwardens of the ſame.

Clauſe relating to Damages.

IX. And be it further enacted by the Authority aforeſaid, That where there ſhall be a Neceſſity, by the Highways being waſhed into Gutts by great Rains, or otherwiſe, to turn the Highway into any Man's Lands, which may be a Prejudice to the Proprietor of the Land, in ſuch Caſe the Surveyor and two Freeholders are to agree with the Proprietors for the Land which may be taken up for the Highways; and if the Proprietor will not come to an Agreement, or be abſent from the Iſland, then the Surveyor and Freeholders ſhall appraiſe the Land, and Damage the Owner or Poſſeſſor, or both, may ſuſtain by the Highways being turned, and report the ſame to the Treaſurer for the Time being upon Oath, who ſhall deduct the ſame out of the Levies of the Perſons damnified.

An

1711.

An Act for ſubjecting that Part of this Iſland which was lately called the French *Ground, to the Civil Government.* 12° 15. Expired.

An Act for laying a Duty on Tonnage of Veſſels trading to this Iſland, and on Sugars exported to any of the other Iſlands in this Government, for the Uſe and Supply of Her Majeſty's Fortifications. 1712. N° 16. Expired.

An Act for laying a Duty on Tonnage of Veſſels trading to this Iſland, and on Sugars exported to any of the other Iſlands in this Government, for the Uſe and Supply of Her Majeſty's Fortifications. 1713. N° 17. Expired.

An Act for all publick Officers putting Security. N° 18.

WHEREAS the Inhabitants of this Iſland are truly ſenſible of the great and many Inconveniencies which may redound unto them by reaſon of the Provoſt-marſhal and other Officers Neglect and Careleſſneſs in the due Execution of his and their Offices, and Performance of Buſineſs incident thereunto, in regard that formerly there hath not been ſufficient Security given to make good ſuch Damages as the ſaid Inhabitants do or ſhall ſuſtain by them or their Subſtitutes; For Remedy whereof for the preſent, and Prevention of the like Inconveniency for the future, we, Your Majeſty's moſt dutiful and loyal Subjects, *Walter Douglas* Eſquire, Captain-general, and Governor in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, the Honourable

1713.

the Lieutenant-governor, Council, and Aſſembly of St. *Chriſtopher*'s, humbly pray Your Moſt Excellent Majeſty it may be enacted; and it is hereby enacted and ordained by the Authority aforeſaid, That no Treaſurer, Secretary, or Marſhal, or Deputy-ſecretary, or Deputy-marſhal of this Iſland, be admitted or held capable to execute the Office of Treaſurer, Secretary, or Marſhal, or Deputy-ſecretary, or Deputy-marſhal, within this Iſland, without having firſt put in Security, ſuch, againſt which no Exception can be taken, and ſuch as ſhall be approved of by the chief Governor, Lieutenant-governor, or Preſident of the Council, and Council, and to be repoſited in the Secretary's Office, payable to our Sovereign Lady the Queen, and Her Succeſſors, for their honeſt and juſt Demeanor in executing their ſaid Offices.

Treaſurer, &c. to give Security for the juſt executing of their Offices,

in a Bond for 5,000 *l.*

II. AND be it further enacted and ordained by the Authority aforeſaid, That the Bond the Treaſurer ſhall give, be for five thouſand Pounds current Money, under the Condition hereafter expreſſed; that is to ſay,

THE Condition of this Obligation is ſuch, That if the above bounden A. B. *Treaſurer, ſhall well and truly account for, ſo often as he ſhall be thereunto required by the Commander in chief for the Time being, the Lieutenant-governor, or Preſident, and Council of this Iſland, all and every ſuch Sum and Sums of Money, Sugar,* &c. *which either have or ſhall come to his Hands, by virtue of any Act or Acts of this Iſland; and alſo pay all ſuch Sums of Money, and Sugars, according to the Intent and Meaning, and to the Uſes mentioned and directed in the ſaid Acts; and ſhall in all other things demean himſelf, as required by the Laws of this Iſland; that then this preſent Obligation to be void, otherwiſe to remain in full force and virtue.*

and given in 20 Days, &c.

Which Bond ſhall be given within twenty Days after Publication of this Act: And in Caſe the preſent Treaſurer ſhall preſume to act in the ſaid Office after the Time limited by this Act for entring into Bonds; or any other Treaſurers, who ſhall be hereafter nominated, who ſhall preſume to act before giving ſuch Bond, he or they ſhall forfeit the Sum of Two thouſand Pounds current Money.

Secretary's Bond to be for 1,000 *l.*

III. AND be it further enacted and ordained by the Authority aforeſaid, That the Bond the Secretary or Deputy-ſecretary ſhall give, be for one thouſand Pounds current Money of this Iſland, under the Condition hereafter expreſſed; that is to ſay,

THE Condition of this Obligation is ſuch, That if the above bounden Secretary and Marſhal ſhall well and faithfully perform and diſcharge the Truſt repoſed in them, according to each of their reſpective Offices and Truſts; that then this Obligation or Obligations ſhall be void, or elſe remain in full force and virtue.

and given in 20 Days, &c.

Which ſaid Bond or Bonds ſhall be given within twenty Days after Publication of this Act: And in caſe either the ſaid Secretary or Marſhal, Deputy-ſecretary or Deputy-marſhal, ſhall preſume to act in either of their ſaid Offices or Truſts, after the Time limited by this Act for entring into Bonds; he, the ſaid Secretary, or Deputy-ſecretary, ſhall forfeit the Sum of Four hundred Pounds; and the Marſhal or Deputy-marſhal, the Sum of Four hundred Pounds current Money; and in like Manner any ſucceſſive Secretary or Marſhal, or Deputy-ſecretary or Marſhal for the Time being, who ſhall preſume to act in ſuch their reſpective Office before giving the Bond required by this Act, ſhall forfeit the Sum of Four hundred Pounds current Money.

Penalties how to be diſpoſed of.

IV. AND be it further enacted and ordained by the Authority aforeſaid, That all the Penalties mentioned in this Act, and not declared how they ſhall be diſpoſed of, and in what Manner to be recovered, ſhall be two thirds to

our

our Sovereign Lady the Queen, Her Heirs and Succeſſors, for repairing Her Majeſty's Fortifications, and Support of the Government of this Iſland; and the other third to the Informer, or him that ſhall ſue for the ſame; to be recovered by Bill, Plaint, or Information in any Court of Queen's-bench within this Iſland, wherein no Eſſoign, Protection, Wager of Law, *Non vult ulterius proſequi*, or Injunction ſhall be allowed. 1713.

V. PROVIDED always, That nothing in this Act contained ſhall be conſtrued to leſſen Her Majeſty's Prerogative in any Reſpect whatſoever. Proviſo.

An Act to revive an Act, intituled, *An Act for ſubjecting that Part of the Iſland which was lately called the* French *Ground, to the Civil Government.* № 19. Expired.

An Act for raiſing a Levy, to defray the publick Debts of this Iſland. 1714-15. № 20. Expired.

An Act for raiſing an Impoſt upon Liquors imported into this His Majeſty's Iſland, &c. № 21. Expired.

An

1714-15.

№ 22. Expired. *An Act for raiſing of Gunpowder and ſmall Arms on Tonnage of Veſſels, for the Uſe of His Majeſty's Fortifications within this Iſland.*

№ 23. Expired. *An Act for ſelling of Strong-liquors by retail, and taking out Licences.*

1715. № 24. Expired. *An Act for the ſettlement of the Militia of this Iſland.*

№ 25. Expired. *An Act to aſcertain the Bounds of Poſſeſſions in the late* French *Part of this Iſland.*

№ 26. Expired. *An Act for laying a Duty on Sugars exported to any of the other Iſlands in this Government, for the Uſe of His Majeſty's Fortifications.*

An

1715-16.

An Act for the good governing of Servants, ordering the Rights between Maſters and Servants, and to encourage the Importation of Servants. N° 27. Expired.

An additional Act to an Act, intituled, *An Act to aſcertain the Bounds of Poſſeſſions in the late* French *Part of this Iſland.* N° 28. Expired.

An Act for regulating and appointing the Fees of the ſeveral Officers and Courts in this Iſland. N° 29.

WHEREAS it is highly neceſſary to regulate and appoint the ſeveral Fees or Demands of the ſeveral Courts and Offices in this Iſland: That the ſame may be more certainly known, and all Exactions and unlawful Demands be thereby prevented and puniſhed; we therefore, Your Majeſty's moſt dutiful and loyal Subjects, *William Mathew* Eſquire, Lieutenant-general, and Commander in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, the Council and Aſſembly of this Iſland, pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is enacted by the Authority aforeſaid, That none of the Officers, or other Perſons that now do, or hereafter ſhall enjoy, belong to, or officiate in any of the Offices and Employments hereafter named or expreſſed, ſhall, either by themſelves, Deputies, Clerks, or Servants, after Publication hereof, neglect, refuſe, or delay to give due Diſpatch to all Perſons whatever, and ſhall not receive or take, directly or indirectly, any other Fee or Fees, for any Buſineſs hereafter named, than is hereafter expreſſed and annexed hereto; and whatſoever Officer or Officers ſhall offend therein, he or they being duly convicted thereof, by the Oath of two credible Witneſſes, before the Governor in Council, or before the Juſtices of the King's-bench in Court, ſhall forfeit and loſe his or their Office and Place, and be held incapable to hold or enjoy the ſame again; and the Party grieved ſhall recover his Damage on ſuch Officer or Officers by Action at Common Law.

Officers to give Diſpatch;

not to take other Fees than allowed of.

II. AND to the Intent that all due Order may be herein kept and obſerved, and that the Inhabitants of this Iſland may not be ignorant thereof; be it further enacted by the Authority aforeſaid, That the Chief Juſtice's and the Secretary's Fees and Prices thereof, according as they are in this Act annexed, ſet down, and expreſſed, be fairly ingroſſed, hung up, and conſtantly kept in the

A Table of Fees to be kept in the Secretary's Office.

1715-16. the Secretary's Office; and the ſeveral Fees of all other Officers, and Prices thereof, as hereto annexed and expreſſed, be ſeverally fairly ingroſſed, and hung up in their ſeveral Offices or Places where the Buſineſs belonging to the ſaid Office is uſually done; and whatſoever Officer or Officers ſhall neglect or refuſe to have ſuch Tables of their reſpective Fees prepared within thirty Days after Publication of this Act, and thenceforth conſtantly hung up, as before directed, ſhall forfeit and pay the Sum of Ten Pounds current Money; to be recovered againſt him by any Perſon who ſhall inform or ſue for the ſame in any Court of Record in this Iſland.

Clauſe relating to Fees not mentioned in the Table.

III. AND it is further enacted by the Authority aforeſaid, That for any Buſineſs, or Thing to be done by any Secretary, Marſhal, or other Officer, and not particularly comprized, mentioned, and rated in this Act, it ſhall be lawful for the Secretary, Marſhal, or other Officer acting the ſame, to take and receive a reaſonable Fee for the ſame, in Proportion to other Services performed by him whoſe Prices are rated in this Act.

Governor to ſettle any further Fees.

IV. AND it is further enacted by the Authority aforeſaid, That the chief Governor, Lieutenant-governor, or Preſident of the Council, and Council and Aſſembly, may at any Time hereafter ſettle and eſtabliſh any further Fees, which may happen to be omitted and unthought of at preſent; and ſuch additional Docket, or Table of Fees belonging to any Office or Offices, being ſigned by the chief Governor, Lieutenant-governor, or Preſident of the Council, and Speaker of the Aſſembly for the Time being, ſhall have the ſame Force, as if they had been really expreſſed, comprized in, and made Part of this Act, and Offenders againſt the ſame be liable to the ſame Penalty as directed in this Act; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

A Docket of Fees for the ſeveral publick Offices of this Iſland, as they are eſtabliſhed by the Governor, Council, and Aſſembly.

Chief Juſtice's Fees.

	l.	*s.*	*d.*
FOR any Writ whereunto his Hand and Seal is affixed,	0	06	00
For a Depoſition in Writing, - -	0	06	00
For an Evidence ſworn in Court, - -	0	01	06
For a Nonſuit or *Retraxit*, - -	0	01	06
For Judgement granted, - -	0	01	06
For ſigning an Execution, - -	0	06	00
For taxing of a Bill of Coſts, - -	0	06	00
For a Feme-covert's acknowledging of a Deed before him,	0	12	00
For a Probate of any other Deed, - -	0	06	00

Secretary's Fees.

For entring of an Action, - -	0	03	00
For a Warrant of Summons, or any other Warrant or Writ, each, - - -	0	03	00
For entring an Imparlance, - -	0	01	06
For an Evidence ſworn in Court, - -	0	01	00
For amending a Record by Order of Court, -	0	03	00
For entring Pleas of Attorneys, -	0	01	06
For entring a Judgment, - -	0	01	06

For

	l.	*s.*	*d.*	1715-16.
For entring a Nonſuit or *Retraxit*,	0	01	06	
For Copy of a Verdict,	0	01	06	
For ditto of a ſpecial Verdict,	0	06	00	
For a Commiſſion to Auditors,	0	06	00	
For filing the Auditors Return,	0	01	06	
For entring a *Scire facias*,	0	04	06	
For drawing a Bill of Coſts,	0	01	06	
For filing Reaſons and Demurrers in Arreſt of Judgement,	0	03	00	
For filing an Injunction,	0	01	06	
For Diſmiſſion from Chancery,	0	01	06	
For drawing a Writ of Error,	0	10	00	
For recording and filing the ſame,	1	00	00	
For recording the Action,	0	04	00	
For ditto the Declaration,	0	10	00	
For ditto the Iſſue, Plea, and Demurrer,	0	10	00	
For ditto the *Scire facias*,	0	10	00	
For ditto the Aſſignment of the Error,	0	04	00	
For ditto the *Scire facias* to hear the Error,	0	04	00	
For atteſting the Record,	0	08	00	
For drawing a new *Scire facias* to hear the Error,	0	04	00	
For an Execution,	0	06	00	
For ſearching the Records,	0	03	00	
For Copy of an Action, and Proceedings of the Court to the Jury,	0	04	06	
For peruſing of an Act, or other publick Writing, to the Inhabitants, *gratis*; but to Strangers,	0	03	00	
For recording of a Mortgage,	0	12	00	
For ditto of Indentures for an Apprentice,	0	06	00	
For ditto of Grants of Land,	0	06	00	
For recording of Patents,	1	10	00	
For a Reference of Court to Auditors,	0	01	06	
For Copy of an Act, or other Inſtrument of Writing not comprized in this Table of Fees, for each Side of Paper cloſe written,	0	03	00	
For any Certificate,	0	01	06	
For ſetting up a Name in the Office,	0	00	09	
For making out a Ticket,	0	02	03	
For any Bond,	0	04	06	
For recording a Bond or Bill,	0	04	06	
For underwriting a Perſon going off the Iſland for any Sum whatſoever,	0	06	00	
For recording a Bill of Sale, or Deed of Gift,	0	12	00	
For Licence to ſell Drink,	0	07	06	
For drawing and recording a Proteſt,	0	15	00	
For Copy of ditto,	0	09	00	
For writing a Depoſition, or recording ditto,	0	03	00	
For Copy of the ſame,	0	03	00	
For filing a Declaration or Plea,	0	01	06	
For Copy thereof,	0	06	00	
For recording a Letter of Attorney,	0	09	00	
For ditto the Probate thereon,	0	03	00	

Clerk

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Clerk of the Peace's Fees.

	l.	*s.*	*d.*
For an Indictment,	0	12	00
For a Copy thereof,	0	06	00
For every Preſentment by the Grand Jury,	0	02	03
For filing each Recognizance,	0	01	06
For clearing by Proclamation,	0	03	00
For a *Subpæna* for a Witneſs,	0	03	00
For a Recognizance,	0	06	00
For every Summons to the Seſſions,	0	03	00
For every Order or Judgement of the Seſſions,	0	03	00
For every Traverſe,	0	06	00
For Copy of Judgement of Seſſions, or Traverſe, each,	0	03	00
For a Writ of Error,	0	10	00
For every Warrant of the Peace,	0	03	00
For every *Certiorari*,	0	10	00
For every Writ of Reſtitution,	0	03	00
For every *Superſedeas*,	0	03	00

Clerk in Chancery's Fees.

For copying Bill and Anſwer, eight Words to a Line, twelve Lines to a Sheet, each Sheet,	0	03	00
For a *Subpæna* for Witneſſes,	0	03	00
For adminiſtring an Oath,	0	01	00
For an Attachment for the Defendant to appear,	0	03	00
For entring the Sheriff's Return,	0	03	00
For Proclamation on the ſame,	0	03	00
For a Commiſſion of Rebellion,	0	12	00
For the Rule the Plaintiff gives the Defendant to make Anſwer by,	0	03	00
For a Commiſſion to examine Witneſſes,	0	09	00
For a *Subpæna* for Coſts given the Defendant, in caſe the Plaintiff puts not in his Bill,	0	03	00
For a Bill of Coſts,	0	01	06
For filing a Replication or Rejoinder, or Surrejoinder,	0	01	06
For Copy of a Depoſition, not exceeding one Side of a Sheet of Paper, 3 *s.* if more, 3 *s.* each Side,	0	03	00
For filing each Depoſition taken by Examiners,	0	01	06
For making an Order on any Motion,	0	01	06
For Copy of an Exemplification of an Action,	0	06	00
For ditto the Minutes of the ſame,	0	03	00
For ditto of an Exemplification of a Complaint,	0	01	00
For ditto the Minutes of the ſame,	0	00	06
For entring a Decree,	0	06	00
For an Execution,	0	06	00

Clerk of the Ordinary's Fees.

For Licence of Marriage,	0	06	00
For Letters of Guardianſhip,	0	06	co
For recording ditto, or Copy thereof,	0	06	00

For

	l.	*s.*	*d.*	
For Letters of Adminiſtration,	0	06	00	1715-16.
For recording ditto, or Copy thereof,	0	06	00	
For Warrants of Appraiſment,	0	06	00	
For recording of ditto, or Copy,	0	06	00	
For Probate of Wills,	0	06	00	
For a Bond,	0	04	06	
For recording of an Inventory, and Return of Appraiſers,	0	06	00	
For Copy of ditto,	0	06	00	
For recording of a Will,	0	09	00	
For Copy of ditto,	0	09	00	
For drawing an Order on a Petition or Copy,	0	03	00	
For filing a Petition,	0	01	09	
For a *Caveat* on Adminiſtration and Recording,	0	09	00	
For a Copy of ditto,	0	04	06	

Juſtices of the Peace, and their Clerks Fees.

For every Indictment for a Riot, before a private Juſtice,	2	00	00
For a Warrant,	0	06	00
For the Clerk's writing the Warrant,	0	03	00
For a Recognizance,	0	06	00
For drawing a Recognizance,	0	03	00
For every Witneſs ſworn before him,	0	01	00
For each Examination in writing,	0	03	00
For Diſcharge of a Recognizance,	0	01	00
For an Order, in Matters of Difference determined by them, between Maſters and Servants, *&c.*	0	06	00

Naval Office Fees.

Report in the naval Office,	0	07	06
For the Bond,	0	12	06
For recording a Regiſter,	0	06	00
For a Letpaſs for a Veſſel to go out of the Government,	0	12	06
For recording Certificate of Bond given in *Great Britain*,	0	03	00
For cancelling naval Bond,	0	03	00
For a Permit for a Veſſel to ſail,	0	01	06

Coroner's Fees.

For every Inqueſt *Super viſum Corporis*, taking Depoſitions, and returning the Inqueſt,	5	00	00
For the Chirurgeon for his View on a Body by accidental or violent Death,	1	00	00
But to ditto, in caſe he opens the Body, with Return of his Report,	3	00	00

Theſe Fees to be paid out of the Eſtate of the Party deceaſed, or, for want thereof, by the Publick: And in all Caſes where he ſerves or executes any Writ or Proceſs inſtead of the Provoſt-marſhal, he ſhall receive the ſame Fees, as the Provoſt-marſhal receives in the like Caſes.

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Marſhal's Fees.

	l.	*s.*	*d.*
For ſerving each Summons to Court upon any Action, or otherwiſe,	0	03	00
For ditto each Summons and Declaration,	0	09	00
For every Jury impannelled, he paying each Juryman out of it,	1	18	00
For attending the Jury each Action,	0	01	00
For a Nonſuit or *Retraxit* each Action,	0	01	06
For each Witneſs ſworn before the Council, or in Court,	0	00	09
For a Judgement in Court, and Return,	0	03	00
For ſerving each Execution under 30 *l.*	0	10	00
For ditto every Execution for Debt above 30 *l.* at the Rate of 1 ½ *per Cent.*			
For ſerving each *Scire facias*,	0	03	00
For ſerving any Warrant of Appraiſment,	1	00	00
For ditto a Writ of Partition upon a Judgement of Court by Jury, and attending and making Return,	3	00	00
For impannelling and attending a Jury of View of Damage and Waſte,	2	10	00
For ſerving any Warrant of Poſſeſſion,	1	08	00
For giving a Bill of Sale of any Thing,	0	18	00
For each Committment, either by the Council or in any Court,	0	06	00
For each Releaſe of the ſame,	0	03	00
For each Warrant of Arreſt on board of Ship,	0	12	00
For executing a Warrant of Search on board of Ship, *&c.*	0	09	00
For ſerving a Warrant of Arreſt on Shore,	0	06	00
For ditto a Warrant of Search,	0	06	00
For ditto each ſpecial Warrant,	0	06	00
For ditto each Warrant of Contempt and Return,	0	06	00
For ditto a *Subpæna* from either or any Court for each Perſon to be paid,	0	03	00
For ſerving each *Superſedeas*	0	03	00
For executing a Writ of *Habeas Corpus*, each Day you have the Perſon upon it,	0	03	09
For ſerving a Warrant *ad Reſpondendum*,	0	03	00
For executing a Writ of Withernham,	0	06	00
For a Warrant of Complaint,	0	06	00
For raiſing the Poſſy,	5	00	00
For each Perſon bound to the Peace or good Behaviour, or indicted or called to Seſſions thereupon,	0	04	06
For executing a Writ of Replevin and Return,	0	06	00
For receiving a Felon into Cuſtody,	0	03	00
For diſcharging the ſaid Felon out of Priſon,	0	01	06
For diſcharging each Perſon bound by Recognizance to any Seſſions,	0	01	06
For diſcharging each and every Preſentment,	0	03	00
For every common Committment,	0	03	00
For Releaſe of the ſame,	0	01	06
For each Priſoner for every 24 Hours, one Pound of Beef and one Pound of Bread,	0	01	06
For each Bond taken,	0	04	06
For ſerving each Commiſſion of Rebellion and Contempt out of Chancery,	1	04	00

For

	l.	*s.*	*d.*
For executing a Decree out of Chancery as other common Executions,			
For ſerving every Summons of the Parties concerned to the Admiralty, and Return,	0	06	00
For ſerving each and every Attachment out of the Admiralty, where no Condemnation,	0	12	00
For every Warrant of Contempt and Return out of the Admiralty,	0	06	00
For ſerving the Decrees, Libels, and Orders of the ſaid Court, where no Condemnation,	1	17	06
For the whole Trial and Proceedings to Condemnation of any Ship, *&c.* if condemned in the Admiralty, whether Prize or otherwiſe,			
For the whole Trial, *&c.* and Condemnation of any Sloop, or on any Goods, Slaves, or Merchandize condemned in the Admiralty, whether Prize or otherwiſe,			
For executing any Chriſtian Man or Woman, to be paid out of the Treaſury,			
For executing any Negro, 500 *lb.* of Sugar.			
For each run-away Negro or Slave, taken up and brought to the Marſhal, he to pay the Bringer 12 *s.* and 9 *d. per* Mile,			
For every 24 Hours Impriſonment,	0	01	00

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Conſtable's Fees.

For ſerving a Warrant,	0	06	00
For each Witneſs ſummoned by him,	0	03	00
For ſerving a *Mittimus* to carry a Perſon to Gaol,	0	12	00
For traveling Charges, 12 *d. per* Mile,			
For every Writ ſerved by him to ſummon in the Freeholders or Pariſhoners, to be paid by the Church-wardens,	0	06	00
For ſummoning each Juror or Evidence on an Inqueſt, to be paid by the Coroner,	0	00	06

An Act to repeal a Clauſe in the late Common Law Act. 1716. N° 30. Expired.

An

1716.

№ 31. Expired. *An Act to explain Part of an Act,* intituled, *An Act for the ſettlement of the Militia of this Iſland.*

№ 32. Private. *An Act to enable* William Mathew *Eſquire, an Infant, under the Age of twenty one Years, to convey a certain Parcel of Land in the Iſland of St.* Chriſtopher's, *called* Brimſtone-hill, *and to veſt the Inheritance thereof in His Majeſty, for the Uſe of the Fortifications of this Iſland; and for ſettling other Lands therein mentioned upon the ſaid* William Mathew, *and his Heirs, in lieu thereof; and for the Payment of five hundred Pounds unto the Honourable* William Mathew *Eſquire, his Father, in Conſideration of the ſame; and for other Conſiderations therein mentioned.*

№ 33. Expired. *An Act to prevent Danger that may happen by Fire in any of the Towns within this Iſland.*

№ 34. Expired. *An Act for raiſing a Levy, to diſcharge the publick Debts of this Iſland.*

An

1716.

An Act for raiſing a Tax on Trade, to defray the publick Charges of this Iſland. № 35. Expired.

An Act to impower the Surveyors of the Highways to turn the windward common Path to the Eaſtward of Clay-hill, *in the Quarter of* Baſſe-terre. 1717. № 36.

WHEREAS the Cartage of Sugars, from the Windward to the Shipping Place at *Baſſeterre*, on the Leeward Side of this Iſland, is rendered very troubleſome and difficult, by Means of the common Path's running directly over a Place in the Midway called *Clay-hill*, which is both ſteep and ſtony: And whereas it is very obvious and apparent, that a Path formerly did lead more to the Eaſtward, and through the Land now in the Poſſeſſion of *Humphry Sheppard*, and was it opened again, would be of very great Eaſe and Advantage to the Inhabitants that cart Sugars that Way, as it is capable of being made more level and ſmooth: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in chief in and over all Your Majeſty's Leeward Carribbee Iſlands in *America*, the Council and Aſſembly of St. *Chriſtopher's*, humbly pray that it may be enacted; and be it, and it is hereby enacted and ordained by the Authority aforeſaid, That from and after the Day of the Date of this Act, it is and ſhall be lawful for the Surveyors of His Majeſty's Highways, in the Quarter of *Baſſeterre*, for the Time being, or either of them, to open and cleanſe the Path formerly running from the South Side of *Connaree Pond* to the Eaſtward of the ſaid *Clay-hill*, and ſo through the Land now in the Poſſeſſion of *Humphry Sheppard*, unto the common Path leading to *Baſſeterre*, and the ſame to make at leaſt twenty four Foot wide; and the ſaid Surveyors are hereby obliged and required, within twenty Days at fartheſt after Publication of this Act, to have the ſaid Path opened in Manner as aforeſaid, under the Penalty of forfeiting for their Neglect Thirty Pounds; to be levied (if Payment be refuſed) by Diſtreſs on their Goods and Chattels, and Sale thereof by Warrant under the Hands and Seals of two Juſtices of the Peace, directed to any Conſtable of the ſaid Quarter of *Baſſeterre*; which Forfeiture ſhall (all Fees being deducted) be towards defraying Pariſh Charges.

Surveyors to make a Path 24 Foot wide, under the Penalty of 30 *l.*

II. AND be it further enacted by the Authority aforeſaid, That whatſoever Damage the ſaid *Humphry Sheppard*, or any other Perſon ſhall ſuſtain in their Improvements on the ſaid Land by turning the ſaid Path, ſhall be appraiſed by two ſufficient Perſons, one to be appointed by the Surveyors of the Highways, and one by the Perſons concerned; which Appraiſment ſhall be returned under the Hands and Seals of the Appraiſers to the Treaſurer of the Iſland for the Time being, who is hereby required to pay the Sum of the ſaid Appraiſment to the Perſon damnified, without any further Warrant for the ſame.

Damages how to be made good.

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№ 37. Expired. *An Act for holding the Courts of King's-bench and Common-pleas of the Iſland of St.* Chriſtopher's *at* Sandy Point *and* Baſſeterre.

№ 38. *An Act for the general Quiet of the Inhabitants of the Iſland of St.* Chriſtopher's *in their Eſtates and Poſſeſſions, and for avoiding of vexatious Law-ſuits.*

WHEREAS this Iſland hath twice within the Memory of Man been ſubjected to the Conqueſt of a Foreign Enemy, and the Inhabitants tranſported to other Iſlands; and by the unhappy Conſequences thereof, as well as by the frequent Accidents of Hurricanes and Fires, the particular Tenures and Eſtates in the Iſland have not only been ſtrangely transferred from one Owner to another, but many People have loſt all their Writings, Deeds, Conveyances, and other Evidences of the Lands and Tenements, of which they or their Anceſtors have been for many Years laſt paſt lawfully and quietly ſeized and poſſeſſed; and even the publick Records have been ſo defaced, torn, or intirely loſt, that no Recourſe can in many Caſes be had thereunto; ſo that the preſent Proprietors or Owners of Lands, Tenements, and Hereditaments, are or may be liable to many vexatious Suits, and put to great Difficulties to prove their reſpective Titles to the ſame: For Remedy whereof, and to the Intent that the Rights and Titles of Your Majeſty's loyal Subjects of this Iſland to their Eſtates and Poſſeſſions might be eſtabliſhed and confirmed, and the Inhabitants be thereby encouraged to a thorough Settlement thereof, Your Majeſty's moſt dutiful and loyal Subjects, *Walter Hamilton* Eſquire, Captain-general, and Governor in chief in and over all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland, do in all humble Manner pray Your Moſt Excellent Majeſty that, of Your gracious Diſpoſition, it may be enacted; and be it, and it is enacted by the ſaid Captain-general and Governor in chief, and the ſaid Council and Aſſembly, That no Title of Your Moſt Sacred Majeſty ſhall be revived or put in Suit on account of the Re-conqueſt of this Iſland, but that every Proprietor of Lands, Tenements, or Hereditaments within the ſame ſhall be deemed and adjudged legally re-inſtated in, and veſted of ſuch Eſtate therein, as he or his Anceſtors, or he or they whoſe Eſtate he hath, had, or might claim at the Time of the ſaid Iſland's being ſurrendered to the *French*, in the Year of our Lord One thouſand ſix hundred eighty and nine.

The King's Title to any Lands not to be revived on account of the Re-conqueſt of the Iſland.

II. AND be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons poſſeſſing any Lands, Tenements, or Hereditaments within this Iſland, and who, or their Anceſtors or Predeceſſors, or other Perſon

Perſon or Perſons, whoſe Heirs they are, or whoſe Eſtate they have, or claim, have had quiet Poſſeſſion thereof, without legal Interruption, for the Space of five Years next before the Beginning of the aforeſaid War, in the ſaid Year One thouſand ſix hundred eighty nine, and who have poſſeſſed and enjoyed the ſame from the Re-conqueſt of the ſaid Iſland by the *Engliſh* to this preſent Time, without any legal Hindrance thereto, or Claim thereof made in any Court of Record in this Iſland, ſhall be deemed and taken, and they, their Grantees, , Aſſigns, and Deviſees, are hereby declared to be rightfully and lawfully ſeized of an indefeaſible Eſtate of Inheritance in Fee-ſimple, of and in ſuch Lands, Tenements, and Hereditaments, as effectually, to all Intents and Purpoſes, as if ſuch Anceſtor, Predeceſſor, or other Perſon or Perſons, had been ſeized thereof in Fee-ſimple, by and under the moſt firm Conveyance and Aſſurance in Law whatſoever; any Law or Statute to the contrary in any wiſe notwithſtanding.

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What Term of Years ſhall be deemed to give an indefeaſible Right to any Lands, &c.

III. PROVIDED nevertheleſs, if any Perſon or Perſons, that is or are intitled to ſuch Lands, Tenements, or Hereditaments, or that have Right or Title of Entry therein or thereunto, be at the Time of the making of this Act, within the Age of twenty one Years, Feme-covert, *Non compos mentis*, impriſoned, or beyond the Seas (that is to ſay, not living nor dwelling within any of the ſaid Leeward Carribbee Iſlands) that then ſuch Perſon or Perſons ſhall or may bring his Action, or make his Entry, as he might have done before this Act, ſo as ſuch Perſon or Perſons ſhall, within three Years next after his or their full Age, Diſcoverture, coming of ſound Mind, Enlargement out of Priſon, or coming into this Iſland, take Benefit of, and ſue for the ſame, and at no Time after the ſaid three Years.

Clauſe relating to Nonage, &c.

IV. PROVIDED alſo, That nothing in this Act contained ſhall extend to, or be conſtrued to veſt or give any Eſtate of Inheritance in or to any Tenant in Dower, or Tenants for Life or for Years, of or in any Lands, Tenements, or Hereditaments, or to any Perſon or Perſons, claiming or to claim by or from them, or any of them; but that every Perſon or Perſons, who have, or ſhall or may have the immediate Right to the Reverſion, Remainder, or Inheritance of or in ſuch Lands, Tenements, or Hereditaments, ſo held as aforeſaid, expectant upon the Determination of ſuch particular Eſtate or Eſtates, ſhall and may, at any Time within twenty Years next after the Determination of ſuch Eſtate, and if ſuch Eſtate or Eſtates be already determined, within twenty Years next after the Date of this Act, make their Entry into ſuch Lands, Tenements, or Hereditaments, and proſecute ſuch their Right thereto; any thing in this Act contained to the contrary notwithſtanding.

Proviſo,

V. AND whereas, upon the Reducement of this Iſland by the *French*, in the Year One thouſand ſix hundred ſixty ſix, ſeveral Subjects of the Crown of *France* did, for very ſmall Conſiderations, purchaſe, or pretend to purchaſe of and from the Subjects of the Crown of *Great Britain*, ſeveral Plantations and Tracts of Land, Tenements, and Hereditaments, lying and being in that Part of the ſaid Iſland, commonly called or known by the Name of the *Engliſh Quarters*, which ſaid Plantations or Tracts of Land, Tenements, and Hereditaments, by the Articles of Peace and Friendſhip concluded and agreed upon by and between the ſaid two Crowns at *Breda*, in the Year One thouſand ſix hundred and ſixty ſeven, were aſcertained and confirmed to ſuch *French* Purchaſers, unleſs the then former *Engliſh* Proprietors, by a certain Day in and by the ſaid Articles of Peace limited, and for that Purpoſe appointed, did repay the Price of the firſt Purchaſe, and for all Meliorations or Improvements made thereon by ſuch *French* Purchaſers; which many failing or neglecting to do, the *French* remained poſſeſſed thereof, till they, for valuable Conſiderations, ſold the ſame again to the *Engliſh*, or otherwiſe forfeited the ſame; by and under which ſecond Purchaſes or Forfeitures many Plantations and Tracts of Land, Tenements, and Hereditaments are now held in this Iſland: Be it therefore enacted by

1718-19. Aſſignments of Lands by the *French* to be deemed valid in Law.

by the Authority aforeſaid, That all and ſingular Conveyances, Aſſurances, and Aſſignments of Lands, Tenements, or Hereditaments, made by the ſaid *French* Subjects, or by any other, who were or was in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, after the Expiration of the Time limited in and by the aforeſaid Articles of Peace and Friendſhip, for Redemption thereof, ſhall be, and hereby are declared to be good and valid in the Law; and all Grants, and Letters Patents, made under the Great Seal of the ſaid Leeward Iſlands, of Lands, Tenements, or Hereditaments, ſo forfeited by ſuch *French* Subjects, or any of them, before the ſaid Year One thouſand ſix hundred eighty nine, ſhall be, and likewiſe are hereby declared to be good and valid in the Law; and ſuch Conveyances, Aſſurances, Aſſignments, Grants, and Letters Patents, ſhall and may be pleaded in bar of all or any Claim or Pretence of Right, Title, or Intereſt of, in, or to ſuch Lands, Tenements, or Hereditaments, prior to the ſaid Purchaſes or Poſſeſſions of ſuch *French* Subjects, or any of them; or otherwiſe, ſuch Conveyances, Aſſurances, Aſſignments, Grants, and Letters Patents, or authentick Copies thereof, if the Originals be loſt or deſtroyed, may be given in Evidence to a Jury, upon the general Iſſue, in any Court of the ſaid Iſland, where any Action ſhall be commenced or brought for any ſuch Lands, Tenements, or Hereditaments, which ſhall be as valid and effectual in Law, as if the ſame had been pleaded ſpecially, and the Jury upon ſuch Trial are to receive the ſame as Evidence.

VI. And whereas many of the ſaid *French* Subjects, who continued to hold ſuch their Lands, Tenements, and Hereditaments in the aforeſaid Part of the Iſland, commonly known by the Name of the *Engliſh Quarters*, by virtue of the ſaid Articles of Peace, till the breaking out of the ſaid late War, did then renounce the Protection of the Crown of *Great Britain*, and did continue under the then *French* Government of the ſaid Iſland, and after the ſaid Re-conqueſt of the ſame, did abdicate ſuch their Lands and Poſſeſſions, and go off the ſaid Iſland with other the Subjects of the *French* Crown: And whereas many of the natural born Subjects of the Crown of *Great Britain*, did at that Time, contrary to the Duty of their Allegiance, moſt traiterouſly and wickedly riſe and go into open Rebellion, and adhere to the *French*, the then declared Enemies of the ſaid Crown of *Great Britain*, and not only joined with the ſaid Enemies in the ſubduing of the ſaid Iſland, but afterwards remained in the Dominions of the Crown of *France*, in profeſſed Hoſtility, and committed divers treaſonable Acts, without any Senſe of Loyalty to their then lawful Sovereigns King *William* and Queen *Mary*, of glorious and immortal Memory, or of natural Affection to their native Countries, for which there was good Reaſon and lawful Cauſe that they ſhould be attainted of High-treaſon, and their Eſtates confiſcated to the Uſe of the ſaid Crown of *Great Britain*; but for want of a Civil Adminiſtration of the Government of the ſaid Iſland for many Years after the ſaid Re-conqueſt thereof, the ſame was not done in ſuch Method and Form as the Law of the Land required; yet nevertheleſs, for the better reſettling and ſtrengthening of the Iſland, the Lands, Tenements, and Hereditaments of ſuch Rebels and Traitors were, by Letters Patents, Grants, and Writings, made under the Great Seal of the ſaid Leeward Iſlands, given and granted to ſeveral Perſons who aſſiſted in retaking the ſaid Iſland, and who, at very great Expences, and much Labour and Induſtry, ſettled and improved the ſame, to the great ſtrengthening of the Iſland, and the Increaſe of the Revenues of the ſaid Crown of *Great Britain:* To the End therefore that ſuch dutiful and loyal Subjects might be encouraged, and an indelible Mark of Infamy ſet upon ſuch Traitors and Rebels, it is hereby declared and enacted, That all and every the Lands, Tenements, and Hereditaments in the ſaid *Engliſh Quarters* of the ſaid Iſland of any *Frenchman*, *Frenchwoman*, or *French* Subject, who quitted and deſerted the ſame, as aforeſaid, and went off the Iſland with other *French* Subjects, and

Clauſe relating to forfeited Lands.

are

are dead, or yet ſurvive within the Dominions of the *French* King; and alſo all and every the Lands, Tenements, and Hereditaments in the ſaid Iſland of all and every the natural born Subjects of the Crown of *Great Britain*, who at the Time aforeſaid did go into open Rebellion, and commit ſuch treaſonable Acts as aforeſaid, and did receive Aid, Succour, or Protection from the Crown of *France*, were by them, and every of them, forfeited and loſt; and that the abſolute Fee thereof became thereby veſted in Their ſaid late Moſt Sacred Majeſties King *William* and Queen *Mary*, in Right of Their Crown of *Great Britain*, notwithſtanding that ſuch Perſon or Perſons were not legally attainted or convicted of Treaſon, or that no regular Proceedings were had for the Confiſcation or Seizure of ſuch Lands, Tenements, or Hereditaments, and notwithſtanding any Law or Uſage to the contrary. 1718-19.

VII. AND to the End and Intent that the ſaid Letters Patents, Grants, and other Writings, ſhould be good, available, and of perfect Force and Effect to all and every Your Majeſty's loyal Subjects, according to the true Meaning and Effect of the ſame; be it enacted by the Authority aforeſaid, That all and ſingular the Letters Patents, Gifts, Grants, and Writings, ſealed under the Great Seal of the ſaid Leeward Iſlands, and made by Their ſaid late Majeſties, or by Her late Sacred Majeſty Queen *Anne*, of bleſſed Memory, or by Your Moſt Excellent Majeſty, or by any Captain-general, or Governor, or Commander in chief of the ſaid Leeward Iſlands, in the Name or Names of Your Majeſty, or Your ſaid Royal Predeceſſors, or any of them, for any Sum or Sums of Money, or other Conſideration or Cauſe, to any Perſon or Perſons whatſoever, of the ſaid Lands, Tenements, and Hereditaments, or of any Part or Parcel of them, in and by this preſent Act declared to be forfeited, as aforeſaid, ſhall be good, perfect, and effectual in the Law, as well againſt all and every ſuch *Frenchman*, *Frenchwoman*, and *French* Subjects, who quitted ſuch their Eſtates and Poſſeſſions, as aforeſaid, and their Heirs and Aſſigns, as againſt all and every ſuch natural born Subjects of the ſaid Crown of *Great Britain*, who ſo went into Rebellion, and adhered to the then Enemies, as aforeſaid, and their Heirs and Aſſigns, according to the Tenor and Effect of the ſaid Letters Patents, Grants, or Writings, the ſame to be conſtrued, deemed, and adjudged moſt beneficially for the Patentees and Grantees of the ſaid Lands, Tenements, or Hereditaments, their Heirs and Aſſigns; any lack of finding of Offices or Inquiſitions of and in the Premiſſes, or any Part thereof, whereby the Title of the ſaid Crown of *Great Britain* therein ought to have been found, before the making of ſuch Letters Patents, Grants, or Writings, notwithſtanding. Grants from the Crown of the ſaid Lands, to be valid.

VIII. PROVIDED nevertheleſs, That ſuch Rebels and Traitors, and their Heirs, pretending Title to any Lands, Tenements, or Hereditaments in this Iſland, ſo forfeited as aforeſaid (having firſt obtained Licence from Your Moſt Sacred Majeſty, under Your Privy Seal for that Purpoſe) ſhall and may, within two Years after the Date of this Act, and at no Time after, proſecute ſuch their Claim, or Pretence of Right, in any Court of Record in the ſaid Iſland; and if any ſuch Perſon or Perſons ſhall recover any of the Lands, Tenements, or Hereditaments, ſo given and granted by the Crown, as aforeſaid, that then the Perſon or Perſons who ſhall ſo recover the ſame, ſhall forthwith upon ſuch Recovery pay to the Perſon or Perſons, againſt whom he or they ſhall ſo recover, or their Aſſigns, ſuch Sum and Sums of Money as was or were paid by him or them, his or their Anceſtors, Predeceſſors, or other Perſon or Perſons, whoſe Heir or Heirs he or they is or are, or whoſe Eſtate he or they have, to the Crown, or otherwiſe whatſoever, for the ſaid Lands, Tenements, or Hereditaments, and alſo the full Value of all Meliorations and Improvements made thereon; and likewiſe releaſe and diſcharge the Defendant or Defendants in ſuch Action or Actions, their Heirs, Executors, and Adminiſtrators, of and from all Damages, and all Rights and Pretenſions to the mean Proviſo.

1718-19. Profits of ſuch Lands, Tenements, and Hereditaments; otherwiſe ſuch Perſon and Perſons ſo recovering, ſhall be, and hereby is and are utterly barred, and for ever foreclоſed of and from all or any Right, Title, Claim, or Pretence whatſoever, in Law or Equity, of, in, or to the ſaid Lands, Tenements, or Hereditaments; the ſaid Recovery, or any Judgement given in the ſaid Courts in Favour of ſuch Claimer or Recoverer, notwithſtanding; and upon Non-payment of the ſaid Monies, and releaſing the ſaid Damages and mean Profits, according to the Tenor of this Act, ſuch Judgement and Judgements ſo given for the ſaid Claimer or Claimers, or Perſon or Perſons ſo recovering ſuch Lands, Tenements, or Hereditaments, is and are hereby declared to be null, void, and of none Effect.

Clauſe relating to Deeds, &c. loſt or deſtroyed.

IX. And be it further enacted by the Authority aforeſaid, That where any Perſon or Perſons, poſſeſſed of, or intitled unto any Lands, Tenements, or Hereditaments in the ſaid Iſland, hath or have, by Means of the late Wars, or by Fire or Hurricanes, loſt his or their Deeds, Writings, or Evidences of ſuch their Lands or Eſtates, and where alſo the Records or Regiſtries thereof are loſt, burnt, or deſtroyed; ſuch Perſon or Perſons, upon making Oath that he or they have actually ſo loſt ſuch their Deeds, Writings, or Evidences, ſhall be admitted to prove his or their Title or Titles by the Oaths of two or more credible Perſons; which Evidences, unleſs diſproved by more and better Evidences, ſhall be good and effectual in the Law; and in ſuch Caſe the Jury at the Trial of any Title of Lands, Tenements, or Hereditaments in the ſaid Iſland, are to take Notice of the ſame.

Publick Act.

X. And be it further enacted, That this Act ſhall be taken and allowed in all Courts within this Iſland as a publick Act; and all Judges and Juries are hereby required to take Notice thereof, without ſpecial pleading the ſame.

Proviſo;

XI. Provided always, That this Act ſhall not be deemed or taken to be in Force until Your Majeſty's Pleaſure ſhall be known relating thereunto; but that from and immediately after Your Majeſty's Approbation thereof, the ſaid Act ſhall be in Force in this Iſland for ever.

1719. N° 39. Temporary.

An Act for ſettling a Salary on William Nevin *Eſquire, Agent for the Iſland of St.* Chriſtopher's, *in* London, *during his Agency.*

An

1719.

An Act for laying a Tax on Vintners, Victuallers, and Retailers of Wine, Rum, and Rum-punch, and other Strong-liquors; and for leſſening the Number of Diſtillers in the Iſland of St. Chriſtopher's; *and to enable the Treaſurer to demand and receive all Arrearages and Debts which remain due and in Arrear from Victuallers, and Retailers of Wine and other Strong-liquors, by virtue of a former Act of this Iſland.* N° 40. Expired.

An Act for raiſing an Impoſt upon Liquors imported into the Iſland of St. Chriſtopher's; *and to enable the Treaſurer to demand and receive all Arrearages and Debts which remain due and in Arrear for Liquors imported into this Iſland, and for which any Duty was payable by virtue of a former Act of this Iſland, bearing Date the nineteenth Day of* February, *in the firſt Year of His Majeſty's Reign.* N° 41. Expired.

An Act for raiſing a Tax by the Poll, and on all Slaves in this Iſland; and alſo for raiſing five hundred Pounds on the inland Trade of the ſame. 1720. N° 42. Expired.

An

1720.

№ 43. *An Act for giving Titles to Inhabitants building Houſes upon* Brimſtone-hill.

IT being but too well known how inconvenient and troubleſome it is for the Inhabitants of this Iſland in Times of War to live upon *Brimſtone-hill*, as they have hitherto been obliged to do, without having convenient Houſes for themſelves and Families, which they might call their own, and in which they might with more Eaſe and Safety diſpoſe of themſelves, and their moſt valuable Effects: Therefore, we, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in chief in and over all Your Majeſty's Leeward Carribbee Iſlands in *America*, the Council and Aſſembly of this Iſland, do pray Your Majeſty that it may be enacted; and be it, and it is hereby enacted by the Authority aforeſaid, That for the more comfortable and orderly Subſiſtence of the Inhabitants upon *Brimſtone-hill*, in caſe they ſhould be obliged, with their Wives and Families, to retire thereto, that convenient Proportions of Land ſhall be admeaſured and laid out by the Direction of the chief Governor, or, in his Abſence from this Iſland, by the Lieutenant-general, or Commander of this Iſland for the Time being, within the Fortifications thereon; and that any Perſon or Perſons, being Inhabitants of this Iſland, ſhall and may have Liberty, at his or her own Expence, to erect and build thereon a Houſe, twenty four Feet in Front, and Ciſtern, or other Conveniencies behind the ſame, as they ſhall think fit, and hold and enjoy the ſame to them, their Executors, Adminiſtrators, and Aſſigns (being Inhabitants of this Iſland, or having Families reſident thereon) for the Term of fifty one Years from the Date of this Act, paying to the Treaſurer of this Iſland a Pepper-corn, yearly Rent for the ſame, if demanded.

Inhabitants may build Houſes upon *Brimſtone hill*, paying a Pepper-corn yearly Rent for the ſame.

II. PROVIDED always, That no one Perſon, for him or herſelf and Family, ſhall take up more Ground than twenty four Feet in Front, and eighty Feet deep; and that each Houſe or Building be, and do not exceed ſeven Feet from the Ground to the Top of the Wall-plate; and that ſuch Buildings be either made of Stone Walls or Boards on the Sides, and Shingles on the Roof, at the Choice of the Builder, but no Part thereof to be thatched; and that the ſaid Proportions be ſo taken up and built upon in the Manner hereby directed, within three Years from the Date hereof; any thing herein contained to the contrary notwithſtanding.

Proviſo.

III. AND be it further enacted by the Authority aforeſaid, That within one Month from and after the Expiration of the ſaid three Years, the ſaid chief Governor, Lieutenant-governor, or Commander of this Iſland for the Time being, ſhall cauſe or procure a Plat or Chart to be made of the ſeveral Allotments or Proportions, which be taken up and built upon, according to this Act, with the Names of the Perſons who ſhall have ſo taken up and built upon the ſame, and return the ſaid Chart or Plat, ſigned by himſelf, one of the Council, and two of the Aſſembly for the Time being, into the Secretary's Office of this Iſland, there to be recorded, for Prevention of any Diſputes which may hereafter ariſe, touching the Right or Property to the ſaid Proportions and Buildings thereon.

A Chart of the Ground built upon to be returned into the Secretary's Office.

An

1720.

An Act for employing Negroes on the Fortifications of this Iſland; and for rendering more effectual, and explaining an Act paſſed this Year, intituled, *An Act for raiſing a Tax by the Poll on all Slaves in this Iſland; and alſo for raiſing five hundred Pounds on the inland Trade of the ſame.* № 44. Expired.

An Act to repeal a certain Act of the Council and Aſſembly of the Iſland of St. Chriſtopher's, intituled, *An Act for raiſing an Impoſt upon Liquors imported into the ſaid Iſland; and for impoſing certain Duties upon Wines, Beer, Ale, Cyder, and other Liquors hereafter to be imported into the ſame Iſland.* 1722. № 45.

WHEREAS, by a certain Act of this Iſland, bearing Date the ſixth Day of *October*, in the ſixth Year of the Reign of our Sovereign Lord *George*, by the Grace of God, of *Great Britain*, *France*, and *Ireland* King, Defender of the Faith, *&c.* the ſeveral Rates and Duties following were laid and impoſed upon Wines, and other Liquors imported into the ſaid Iſland; *viz.* Upon all *Madera* Wine, three hundred Pounds of Sugar *per* Pipe; all Wines of the Growth of the *Weſtern* Iſlands, and *Madera* Wine, mixed with any of the Wines of the *Weſtern* Iſlands, four hundred and fifty Pounds of Sugar *per* Pipe; every Ton of *French*, *Rheniſh*, *Florence*, and *Spaniſh* Wines, and of all other Wines, not before mentioned, imported in Caſk, ſeven hundred and fifty Pounds of *Muſcovado* Sugar, and eleven Pounds and one Quarter of a Pound of *Muſcovado* Sugar for every Dozen of the ſaid Wines bottled; every Ton of Ale, Beer, and Cyder, in Caſk, one hundred eighty ſeven Pounds and a half Pound of *Muſcovado* Sugar, and every Dozen of the ſame Liquors bottled, ſeven Pounds and a half Pound of like Sugar; every Gallon of Mum, three Pounds and three Quarters of a Pound of Sugar; every Gallon of Brandy, ſeven Pounds and a half Pound of Sugar; and every Gallon of Rum, eighteen Pounds and three Quarters of a Pound of like Sugar, and ſo proportionably for a greater or leſſer Quantity; which ſaid Law, by Reaſon of laying the ſaid Duties in Sugar, and the Difficulty in collecting the ſame, hath been ſince found very inconvenient: We therefore, His Majeſty's moſt dutiful and loyal Subjects, the Captain-general and Governor in chief of all His Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher's*, do pray His Moſt Excellent Majeſty, That the ſaid ſeveral Rates and Duties, ſo as aforeſaid laid and impoſed in and by the ſaid Act, may ceaſe and determine; and that the ſame Act, and every

1722.

Clauſe, Article, Matter, and Thing therein contained, may be repealed; and the ſaid ſeveral Duties are hereby declared to ceaſe, and be determined; and the ſaid Act, and every Clauſe, Article, Matter, and Thing therein contained, is and are hereby repealed, to all Intents and Purpoſes whatſoever, as if the ſame had never been made; any thing in the ſaid Act contained to the contrary in any wiſe notwithſtanding.

Act 6. Geo. I. relating to the Duties upon Liquors, repealed.

II. And to the end that a ſufficient Fund may be provided, for the Support of the Government of the ſaid Iſland, and defraying the contingent Charges thereof, we, His Majeſty's moſt dutiful and loyal Subjects, the Captain-general, and Governor in chief of the ſaid Leeward Iſlands, and the aforeſaid Council and Aſſembly of the ſaid Iſland, do pray His Moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the ſaid Captain-general, and Governor in chief, and of the aforeſaid Council and Aſſembly, That from and after the Date of this Act, there ſhall be raiſed, levied, collected, and paid unto His Majeſty, His Heirs, and Succeſſors, for the Space of eleven Years, and no longer, the ſeveral Rates, Duties, Impoſitions, and Charges hereafter expreſſed; that is to ſay, For all *Madera* Wines, which ſhall be imported into the ſaid Iſland, two Pounds current Money *per* Pipe; for all Wines imported, of the Growth of the *Weſtern* Iſlands, and *Madera* Wine, mixed with any of the Wines of the *Weſtern* Iſlands, three Pounds current Money *per* Pipe; and two Pounds *per* Ton for every Ton of Beer; and five Pounds for every Ton of *French*, *Rheniſh*, or *Spaniſh* Wines, and one Shilling and ſix Pence for every Dozen of Quart Bottles of the ſame; and two Shillings and ſix Pence for every Gallon of Rum; and one Shilling for every Gallon of Brandy; and ſix Pence for every Gallon of Mum; and one Shilling and ſix Pence for every Dozen of Quart Bottles of Ale, Beer, or Cyder; and ſo proportionably for a greater or leſſer Quantity of the ſaid Liquors.

Duties impoſed by this Act.

III. Provided nevertheleſs, That if the Importer of ſuch Liquors ſhall export the ſame, or any Part thereof, within two Calendar Months next after Importation, then he ſhall be allowed a Drawback of half what was paid for the Cuſtom or Impoſt of the Liquors ſo exported; which Drawback the Treaſurer ſhall pay or diſcount, under the Penalty of double the Sum he ſhall refuſe to pay or diſcount, as aforeſaid.

Drawback upon Exportation allowed.

IV. And be it further enacted by the Authority aforeſaid, That if any Merchant or Factor, or any Maſter, Commander, or Owner of any Ship or Veſſel, or any Purſer, Mariner, or Perſon whatſoever, belonging to any Ship or Veſſel, ſhall, without the Preſence of the Treaſurer of the ſaid Iſland for the Time being, who is hereby authorized and appointed to collect and receive the ſaid ſeveral Rates and Impoſts, or ſome Perſon to be by him for that Purpoſe appointed, or before Notice given, or a regular Entry made with the ſaid Treaſurer, or Payment of the Duty, put on Shore, or put into any Boat or Veſſel, over the Side of ſuch Ship or Veſſel, or otherwiſe convey out of any Veſſel, any of the Liquors aſſeſſed, or mentioned to be aſſeſſed in this Act within mentioned, to land the ſame, the ſame Liquors ſhall be forfeited and loſt; and all Officers, both civil and military, in this Iſland, are hereby ſtrictly charged and required to be aiding and aſſiſting to the Treaſurer, and his Agent or Agents, the Informer, Diſcoverer, or Seizer of ſuch Liquors, ſo landed or unladen contrary to the true Intent and Meaning of this Act, in the due Execution of all and every Act and Thing in and by this preſent Act required and enjoined.

Penalty on running Liquors.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Treaſurer, or his Agent or Agents, or ſuch Informer or Diſcoverer, by virtue of a Warrant under the Hand and Seal of any Juſtice of the Peace of this Iſland for that Purpoſe firſt obtained, with one Conſtable or more, to ſearch all Manner of Houſes, Cellars, Ware-houſes, and

Treaſurer may ſearch ſuſpected Places.

1722.

and Shops, and every or any other ſuſpected Place or Places, for ſuch of the ſaid mentioned Liquors as they or any of them ſhall be informed to have been carried there to be concealed, or to eſcape paying the ſaid impoſed Duties, contrary to the true Intent and Meaning of this Act; and ſuch Liquors ſo found, ſhall be forfeited and loſt: Provided, That ſuch Search be made within three Days after the Information given; and the Liquors ſo found, ſhall be tried in the Court of Admiralty of this Iſland, and the Charges of the Trial to be deducted out of the Liquors ſeized, as aforeſaid, if the ſame be condemned; but if they ſhall be cleared, and any probable or reaſonable Cauſe notwithſtanding ſhall appear to the ſaid Court for ſuch Seizure, the Charges of the Proſecution ſhall be born and paid by the Treaſurer of this Iſland for the Time being, out of the publick Stock; but if no probable or reaſonable Cauſe ſhall appear to the ſaid Court for ſuch Proſecution, the Charges thereof ſhall be born by the Perſons ſeizing or informing againſt the ſame; and that upon ſuch Trial the Proof ſhall lie upon the Owner or Claimer, whether the Impoſt aſſeſſed by this Act hath been paid for the Liquors ſeized, and not on the Proſecutor; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Proof that the Duty was paid, to lie on the Owner,

VI. And the Treaſurer for the Time being is hereby impowered and required, when any Merchant or Factor, Maſter, Purſer, Mate, or Boatſwain of any Veſſel, ſhall make an Entry of any *Madera* Wines imported and brought directly from the *Madera's*, to adminiſter the following Oath to ſuch Perſon who ſhall make ſuch Entry; *viz.*

Treaſurer to adminiſter an Oath to Perſons entering *Madera* Wines,

I A. B. *do ſwear, That the Wines now entered for* Madera *Wine, were taken and laden on board at the Iſland of* Madera; *and that I do not, directly or indirectly, know but that the ſame are of the Growth of the ſaid Iſland of* Madera, *without mixture of any Wines of the* Weſtern *Iſlands.*

So help me God.

And if any Merchant or Factor, or any Maſter, Mate, Purſer, or Boatſwain of any Ships or Veſſels, who ſhall make ſuch Entry of any Wines imported hither directly from the *Madera's*, ſhall refuſe to take the ſaid Oath, being thereunto required by the Treaſurer, then the ſaid Wines ſo imported, ſhall be deemed and taken to be Wines of the Growth of the *Weſtern* Iſlands, and ſhall pay Impoſt accordingly.

Naval Officer not to clear any Ship without a Certificate from the Treaſurer;

VII. And be it further enacted by the Authority aforeſaid, That the naval Officer of this Iſland ſhall not at any Time clear any Ship or Veſſel that ſhall import any of the ſaid Liquors, before the Maſter, Commander, Purſer, Boatſwain, or other Perſon taking charge of, or clearing ſuch Ship or Veſſel, ſhall have produced a Certificate from the Treaſurer, that the Liquors imported in ſuch Ship or Veſſel, and landed here, have been duly entered, as aforeſaid, and the Duties of the ſame paid and ſatisfied; and alſo, that the Treaſurer ſhall not diſcharge or give a Certificate to any Maſter of any Veſſel whatſoever, that ſhall import any of his ſaid Liquors into this Iſland, and land the ſame here, for the clearing of them in the naval Office, until the ſaid Treaſurer ſhall have ſworn the Maſter, or ſuch other Perſon or Perſons as ſhall belong to ſuch Ships or Veſſels, in Manner and Form following; *viz.*

nor Treaſurer to give one, till he has ſworn the Maſter, &c.

The Oath.

I A. B. *do ſwear, That no more Liquors were imported, landed, or put over the Side, or otherwiſe carried out of the Veſſel called* with an *Intent to be landed by me, or by my Order, or by any other Perſon whatſoever, with my Knowledge, Conſent, Connivance, or Privity, directly or indirectly, but what hath been already duly entered with the Treaſurer of this Iſland; and I do declare, that the Entry ſo made of the ſaid Liquors, are the juſt, true, full, and complete Quantities of all and every the Liquors imported, landed, or put over the Side, or otherwiſe*

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otherwiſe conveyed out of the ſaid Veſſel, with an Intent to be landed ſince her Arrival at this Iſland.

So help me God.

Penalty on Refuſal to take the ſame,

And if the Maſter or Commander, or other Perſon taking charge of any Ship or Veſſel, wherein any of the ſaid Liquors ſhall be imported, ſhall refuſe to take ſuch Oath, being thereunto required by the Treaſurer, ſuch Perſon ſo refuſing to take the ſaid Oath, ſhall forfeit and pay the Sum of Three hundred Pounds current Money of this Iſland; and if the ſaid naval Officer ſhall at any Time clear any ſuch Ship or Veſſel without ſuch Certificate, he ſhall forfeit and pay the Sum of Forty Pounds current Money, for every Ship or Veſſel which he ſhall ſo clear, before the Maſter, or other Perſon clearing the ſame, hath produced ſuch Certificate, as aforeſaid; and if the Treaſurer ſhall at any Time give a Certificate for the clearing of any ſuch Ships or Veſſels that ſhall have imported any of the ſaid Liquors, before the Maſter or Commander of ſuch Ships or Veſſels ſhall have taken the Oath aforeſaid, that then the ſaid Treaſurer ſhall forfeit the Sum of Three hundred Pounds current Money of this Iſland, for every ſuch Ship or Veſſel which he ſhall have certified the Maſter or Commander thereof to have taken ſuch Oath, and who ſhall not at the ſame Time have really taken the ſame Oath.

and on naval Officer, or Treaſurer, neglecting their Duty.

Proviſo.

VIII. PROVIDED always, That no Ships or Veſſels, belonging properly to the Leeward Carribbee Iſlands, or any of them, and owned by the People thereof, ſhall, by any Thing contained in this preſent Act, or any Conſtruction to be made thereof, be obliged to enter or clear in the naval Office aforeſaid, oftner than once a Year, or as otherwiſe they are obliged to do by the Laws of *Great Britain*, or by any Act of this Iſland; but that ſuch Ships and Veſſels ſhall and may be diſcharged by the Treaſurer, after the Maſter, Commander, Purſer, Mate, or Boatſwain, or other Perſon taking Care of ſuch Ship or Veſſel, ſhall have taken the Oath aforeſaid.

Duties how to be recovered, in caſe of Refuſal to pay the ſame.

IX. AND if any Perſon or Perſons ſhall refuſe or neglect to pay the ſeveral Duties, Rates, and Taxes beforementioned, and in Manner aforeſaid by this Act laid and impoſed, or any Part thereof, as the ſame ſhall become due; then the Marſhal, or his Deputy, is hereby required, on a Precept of a Warrant under the Hand and Seal of the Captain-general or Commander in chief, and in his Abſence from the ſaid Iſland, from the Lieutenant-governor or Preſident for the Time being, to him the ſaid Marſhal or his Deputy directed, forthwith to diſtrain on the Goods and Chattels of ſuch Perſon or Perſons as aforeſaid, and for want thereof, on their Lands and Tenements, ſufficient to ſatisfy and pay the Debts; which ſaid Goods and Chattels, or Lands or Tenements, ſhall in ſix Days time be ſold by the ſaid Marſhal or his Deputy, rendering the Surpluſage, if any ſhall be, to the Owner: Provided always, That ſuch Sale be made by the Marſhal or his Deputy publickly, in one of the Towns of this Iſland, and in the Preſence of ſix Perſons at the leaſt; and if ſuch Perſon or Perſons hath or have not any ſuch Goods, Chattels, Lands, or Tenements ſufficient to pay ſuch Debt, then the ſaid Marſhal ſhall take into his Cuſtody the Body or Bodies of ſuch Perſon or Perſons, as aforeſaid, and them in the common Gaol of the ſaid Iſland ſafely detain and keep, without Bail or Mainprize, until he or they ſhall have paid the ſame, and every Part thereof.

Treaſurer allowed 5 *l.* out of every 100.

X. AND be it further enacted by the Authority aforeſaid, That the Treaſurer for the Time being ſhall and may have and take to his own Uſe and Behoof, out of the ſaid ſeveral Duties and Impoſitions, the Sum of five Pounds for every hundred Pounds which he ſhall receive and collect by virtue of this Act; and that the Treaſurer's Accounts, for and concerning his Receipts and Diſburſements in the Premiſſes aforeſaid, ſhall be examined, adjuſted, and ſettled by the Council and Aſſembly, or a Committee of the Council

and

and Aſſembly for that Purpoſe appointed; and that before ſuch Examination and Settlement, the ſaid Treaſurer's ſaid Accounts ſhall not be allowed, or he be diſcharged; but he, his Heirs, Executors, and Adminiſtrators, be liable to render his ſaid Accounts to the ſaid Council and Aſſembly; and that the ſaid Treaſurer ſhall, if thereunto required by the ſaid Council and Aſſembly, render and adjuſt ſuch his Accounts yearly and every Year, under the Penalty of One thouſand Pounds current Money of the ſaid Iſland. 1722.

XI. AND be it further enacted by the Authority aforeſaid, That in every Action, Suit, Indictment, Information, or Proſecution, wherein or whereby the Treaſurer, or any other Perſon or Perſons which ſhall be by him appointed, or any Perſon or Perſons, who, by virtue of this preſent Act, are or ſhall be impowered or authorized to put the ſame in Execution, or any others acting in Aid of them, ſhall be ſued, indicted, proſecuted, or moleſted; it ſhall be lawful for all and every the ſaid Perſons, their Heirs, Executors, and Adminiſtrators, to plead the general Iſſue, and to give this Act in Evidence in any Court or Courts of Juſtice where the Matter ſhall be depending; and all the Judges of the ſaid Court or Courts are ſtrictly enjoined and required to admit the ſame, and to acquit and indemnify them, and every of them, of and from all ſuch Suits, Indictments, Informations, and Proſecutions, for and concerning any Matter or Thing acted or done in the due and neceſſary Performance and Execution of their reſpective Truſts and Employments therein. Perſons ſued may plead the general Iſſue.

XII. AND be it further enacted by the Authority aforeſaid, That the two thirds of all the Forfeitures before in this Act mentioned and appointed, and not herein and hereby already mentioned or directed how and in what Manner the ſame ſhall be diſpoſed of, ſhall be paid to the Treaſurer aforeſaid, for the Uſe of His Majeſty, His Heirs, and Succeſſors, towards the Maintainance and keeping in Repair the Fortifications and Garriſons of this Iſland; and the other third Part to ſuch Perſon or Perſons as ſhall inform or ſue for the ſame; to be recovered by Bill, Plaint, or Information in any Court of this Iſland, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed. Diſpoſition of Forfeitures,

An Act for laying of certain Duties upon Sugars, Moloſſes, and other Goods of the Growth and Manufacture of the Iſland of St. Chriſtopher's, *to be exported out of the ſaid Iſland.* № 46. Expired.

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№° 47. *An Act for raiſing of Gunpowder and ſmall Arms upon the Tonnage of Veſſels trading to and with this Iſland, for the Uſe of His Majeſty's Fortifications within this Iſland.*

WHEREAS the want of Arms and Ammunition might occaſion the Loſs of this Your Majeſty's Iſland of St. *Chriſtopher*'s, and the Ships and Veſſels trading unto and with the ſame, ſhould a War with any Foreign Nation break forth, or ſudden Aſſault be made thereon by any unexpected Enemy: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the aforeſaid Iſland, do moſt humbly pray that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the ſaid Governor in chief, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*'s,

Veſſels to pay Powder according to Tonnage,

That all Maſters and Commanders, and other Perſons navigating of Ships and Veſſels, which now are or ſhall happen to come into and ſtray in any Bay, Road, or Creek of the ſaid Iſland, and there to tarry above the Space of forty eight Hours, and there unlade or lade any Goods, Wares, or Merchandizes, ſhall pay the full Duty of Powder, according to the whole and full *Engliſh* Tonnage of the ſaid Ship or Veſſel; *viz.* One Pound of Piſtol Powder in *Specie*, for each and every Ton which ſuch Ship or Veſſel doth or ſhall meaſure.

and certain Rates for purchaſing Fuzees;

II. AND be it further enacted by the Authority aforeſaid, That the Maſter, or Commander, or other Perſon having Charge of any Ship or Veſſel meaſuring one hundred Tons, ſhall give and deliver one good approved Firelock Fuzee, of the Value of twenty Shillings *Sterling* at the leaſt, and ſo proportionably for every hundred Tons which Ships of greater Burthen ſhall meaſure; and that all Ships and Veſſels not being of the Burthen of one hundred Tons, ſhall pay four Pence *per* Ton for each Ton, over and beſides the abovementioned Duty of Powder; and every Veſſel, for every Ton which ſhe ſhall meaſure over and above one hundred Tons, or any Number of hundred Tons, ſhall, beſides the aforeſaid Duty of Powder and Fuzee, pay four Pence *per* Ton for every Ton exceeding any Number of hundred Tons, for and towards the purchaſing of a Fuzee; which ſaid Powder, Arms, and Money, are to be delivered and paid unto the Collector of the Powder Duty for the Time being.

not to be cleared without producing the Collector's Receipt.

III. AND be it further enacted by the Authority aforeſaid, That no Ships or Veſſels ſhall depart, or be cleared by the naval Officer for the Time being, before the Maſter, Commander, or Perſon taking Charge of ſuch Ship or Veſſel, ſhall have produced and ſhewn unto the ſaid naval Officer a Diſcharge or Receipt under the Hand of the Collector aforeſaid, under the Penalty of Five Pounds current Money; to be levied by Warrant under the Hand of the Commander in chief of this Iſland for the Time being; the ſaid Fine to be paid into the Hands of the Collector of the Powder Duty for the Time being; to be applied towards providing ſmall Arms, for furniſhing the Magazines of this Iſland.

A Surveyor to meaſure them,

IV. AND to the End the Burthen and Tonnage of Ships and Veſſels may be better known, be it further enacted by the Authority aforeſaid, That a ſworn Surveyor be appointed by the chief Governor, and in his Abſence, by the Lieutenant-governor, or Preſident of the ſaid Iſland for the Time being, to meaſure

meaſure all ſuch Ships and Veſſels as ſhall come into the ſaid Iſland to trade, unlade, or lade there; which Surveyor ſhall be paid the Sum of fourteen Shillings current Money for ſuch Survey, by the Maſter, Commander, or Perſon taking Charge of each Veſſel: And the ſaid Surveyor is hereby required to keep a Regiſter of all ſuch Ships and Veſſels as he ſhall from Time to Time meaſure, and render an Account thereof whenſoever he ſhall be thereunto required by the Governor in chief, or, in his Abſence, by the Lieutenant-governor, or Preſident, and the Council and Aſſembly of the ſaid Iſland. 1722. at 14*s.* a Veſſel, and regiſter them.

V. PROVIDED nevertheleſs, That any Veſſel having been ſurveyed and regiſtred as aforeſaid, by virtue of this Act, ſhall not be obliged to be ſurveyed anew, or to pay a ſecond time any Fee for ſuch Survey, unleſs any Alteration may have been made in ſuch Ship or Veſſel; any thing in this Law contained to the contrary notwithſtanding. Proviſo.

VI. PROVIDED, That this Act ſhall not extend to Ships and Veſſels importing Brute Animals only from any of the ſaid Leeward Iſlands, or which ſhall come to this Iſland only for Wood, Water, or by any Streſs of Weather: And alſo, That no Inhabitant of this Iſland, owning any Ship or Veſſel, or Part of any Ship or Veſſel, ſhall be liable to the Payment of the ſaid Duties; but ſhall be exempt therefrom for ſuch Part only as he or they ſhall own; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding. Proviſo.

VII. AND further, be it enacted by the Authority aforeſaid, That the Collector for the Time being, who ſhall be impowered to collect and receive the ſaid Duties, ſhall and may have and take to his own Uſe and Behoof out of the ſaid ſeveral Duties and Impoſitions, the Sum of five Pounds for every hundred Pounds which he ſhall receive and collect by virtue of this Act: And that the ſaid Collector's Accounts, for and concerning his Receipts and Diſburſements in the Premiſſes aforeſaid, ſhall be examined, adjuſted, and ſettled by the Council and Aſſembly, or a Committee of the Council and Aſſembly for that Purpoſe appointed; and that before ſuch Examination and Settlement, the ſaid Collector's ſaid Accounts ſhall not be allowed, or he be diſcharged; but he, his Heirs, Executors, and Adminiſtrators, be liable to render his ſaid Accounts to the ſaid Council and Aſſembly; and that the ſaid Collector ſhall, if thereunto required by the Council and Aſſembly, render and adjuſt ſuch his Accounts yearly and every Year, under the Penalty of One thouſand Pounds current Money of the ſaid Iſland. Collector's Profits. His Accounts to be examined by the Council, &c.

VIII. THIS Act to continue and be in force for eleven Years from the Date hereof, and from thence to the then next meeting of the Council and Aſſembly of the ſaid Iſland, and no longer. Continuation of this Act.

An Act for the ſettling the Sum of Two thouſand Pounds per Annum, *of current Money of the Iſland of St.* Chriſtopher's, *during the Term therein mentioned, upon his Excellency* John Hart *Eſquire, the preſent chief Governor of all His Majeſty's Leeward Carribbee Iſlands in* America, *for the more honourable Support of the ſaid Governor, and the Dignity of this His Majeſty's Government.* No 48. Expired.

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№ 49. Expired. *An Act for the Continuance of ſuch Part of an Act for employing Negroes on the Fortifications of this Iſland, and for rendering more effectual, and explaining an Act,* intituled, *An Act for raiſing a Tax by the Poll on all Slaves in this Iſland, as alſo for raiſing five hundred Pounds on the Inland Trade of the ſame, as relates to the employing of Negroes upon the ſaid Fortifications.*

№ 50. Repealed, *An Act to regulate the Militia of this Iſland.*

№ 51. *An Act for the good Government of Servants, for ordering the Rights between Maſters and Servants, for encouraging the Importation of Servants, for directing a due Performance of Contracts, and for Payment of Wages to Artificers, Workmen, and Labourers.*

WHEREAS nothing can tend more to the ſtrengthening of this Iſland, than there being on it a ſufficient Number of Chriſtian Servants, Labourers, and Artificers: And it being therefore neceſſary to enforce by a Law as well the encouraging good and faithful Servants, as alſo to eſtabliſh the Rights due to them from their reſpective Maſters; and further, for reſtraining diſſolute, diſorderly, and negligent Servants; and for encouraging the Importation of Servants: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in chief of theſe Your Majeſty's Leeward Carribbee Iſlands, the Council and Aſſembly of this Iſland, pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of His Majeſty's chief Governor of the Leeward Carribbee Iſlands, the Council and Aſſembly of St. *Chriſtopher's*, and by the Authority of the ſame, That all and every Servant or Servants retained by Indenture to ſerve for Year or Years, either for certain yearly Wages, or the Conſideration of Clothes and Suſtenance, ſhall faithfully and truly ſerve his or their reſpective Maſter, Miſtreſs, or Owner, according

cording to the true Purport and Intent of the ſaid Indenture: And whatſoever Servant or Servants ſhall wilfully, obſtinately, or negligently abſent him or herſelf from his or her Maſter or Miſtreſs's Service, upon Conviction thereof, by the Oath of one or more Witneſſes, or his or her own Confeſſion before ſome one of His Majeſty's Juſtices of the Peace within this Iſland, ſhall for every Day's Abſence or Loſs of Service, be adjudged and ordered by the ſaid Juſtice to ſerve his ſaid Maſter or Miſtreſs two whole Days after his Term by Indenture is expired; and every Maſter or Miſtreſs is required to keep ſuch a diſtinct Account of their Servant or Servants Abſence, or wilful Loſs of Service, as to prove the ſame by their own or ſome other's Oath before the aforeſaid Juſtice of the Peace.

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Penalty on Servant's Neglect of Duty.

II. AND be it further enacted by the Authority aforeſaid, That whoſoever, either Maſter or Miſtreſs of a Family, or Captain of a Ship, or other Perſon whatſoever, ſhall entertain any Man or Woman above one Night, if he doth not know him or her to be free, ſhall, for every Day or Night after the firſt, forfeit Twenty Shillings current Money of this Iſland; and if he knows him or her to be a Servant to another Perſon, and do notwithſtanding wilfully entertain him or her, he ſhall forfeit Three Pounds current Money of this Iſland, for every Day or Night he ſhall entertain ſuch Servant ſo abſenting from his reſpective Owner's Service: The whole ſaid Forfeiture to be to the ſaid Maſter or Miſtreſs of the ſaid Servant; to be recovered by Action of Debt, or Information in any Court of Record in this Iſland: And if any Overſeer, Freeman, Labourer, or Servant, ſhall entertain or hide any Servant belonging to any other Plantation or Maſter; ſuch Overſeer, Freeman, Labourer, or Servant, not being able to give in ſufficient Security to anſwer an Action of Law, as above enacted, ſhall, upon Conviction of ſuch Offence before two of His Majeſty's Juſtices of the Peace, receive ſuch open and condign Puniſhment, or make ſuch other reaſonable Satisfaction to the Maſter or Owner of the Servant ſo entertained by him, as the ſaid two Juſtices in their Diſcretion ſhall order and adjudge.

Penalties on Perſons entertaining them.

III. AND if any ſuſpected Perſon come within any Plantation at unſeaſonable Hours, or being there, ſhall ſtay more than a fitting Time; it ſhall be lawful for the Maſter, his Overſeer, or Servant, to apprehend ſuch Perſon, and keep him in Cuſtody till he may be brought to the next Conſtable: And all Conſtables are required to receive and apprehend all ſuch Straglers or Runaways as ſhall be brought to them, or they ſhall know of by credible Information, under the Penalty of Forty Shillings current Money of this Iſland for each Neglect or Refuſal as aforeſaid, and them in ſafe Cuſtody to convey to the common Gaol, or to their reſpective Maſters or Miſtreſſes; for which the ſaid Conſtable ſhall be paid ten Shillings current Money of this Iſland Fee, and one Shilling *per* Mile for travelling Charges; to be paid by the Provoſt-marſhal, or his Deputy, if ſuch Servant be delivered at the common Gaol, or by the reſpective Maſter or Miſtreſs, if delivered to them: And in caſe of the ſaid Maſter's or Miſtreſs's Refuſal to receive the ſaid Servant, and to pay the ſaid Fees; then the ſame to be levied on their Goods and Chattels, by Warrant from the next Juſtice of the Peace to the ſaid Conſtable directed, as is uſual in other Caſes of Diſtreſs: And every Marſhal, or Deputy Provoſt-marſhal of the ſaid Iſland for the Time being, are hereby required to receive all ſuch Servant or Servants, as ſhall be delivered to them at the common Gaol by any Conſtable, and to pay to the ſaid Conſtable the Fees abovementioned, under the Penalty of forfeiting Five Pounds current Money of this Iſland for every Offence; to be recovered by the aggrieved Perſon againſt him, by Action of Debt, or Information in any Court of Record in this Iſland: And the Provoſt-marſhal, or his lawful Deputy, ſhall the ſaid Servant or Servants in ſafe Cuſtody keep, until the reſpective Maſter or Miſtreſs ſend for the ſame, who ſhall pay the whole Fees, as well thoſe already paid to the Conſtable, as the

Conſtable's Fees for apprehending them.

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further uſual Fees of Impriſonment due to the ſaid Marſhal, before the ſaid Servant or Servants ſhall be delivered to them.

To ſerve their Owners double the Time they are in Gaol.

IV. And it is further enacted by the Authority aforeſaid, That all ſuch Servants who ſhall be in Gaol for their own Offences, ſhall ſerve their Maſter or Miſtreſs double ſo long Time, after the Expiration of the Time they have to ſerve by Cuſtom, Indenture, or Contract, as he or they have lain in Gaol for ſuch their Offences as aforeſaid; and ſhall ſerve his or her ſaid Maſter or Miſtreſs ſuch further Time, as ſhall be ordered and adjudged by two Juſtices of Peace, for Satisfaction of the Fees, and other Charges his or her Maſter or Miſtreſs hath expended for him or her.

Penalty on publick Houſes entertaining them.

V. And it is further enacted by the Authority aforeſaid, That if any Perſon or Perſons, who keep a publick Houſe, or ſell Strong-liquors by retale, ſhall entertain, receive, or ſuffer any Servant or Servants to be drunkening, tippling, or loitering away their Time at his or their Houſes; that ſuch Perſon or Perſons ſhall be indicted at the Seſſions, as keeping a diſorderly publick Houſe; and upon Conviction, be fined by the Juſtices of the Seſſions in their Diſcretion.

Puniſhment of Servants aſſaulting their Maſters, &c.

VI. And be it further enacted by the Authority aforeſaid, That if any Servant ſhall wilfully or maliciouſly make any Aſſault or Affray upon his Maſter or Miſtreſs, or upon any other that ſhall at the Time of ſuch Aſſault or Affray have the Charge or Over-ſight of any ſuch Servant, or of the Work; and being thereof convicted before two of the Juſtices of the Peace, by Confeſſion of the ſaid Servant, or by the Teſtimony, Witneſs, and Oath of one credible Witneſs; that then every ſuch Offender ſhall ſuffer Impriſonment by the Space of one whole Year, or leſs, at the Diſcretion of the two Juſtices; and if that Puniſhment be too ſmall, then to receive ſuch other open Puniſhment, ſo as it extend not to Life or Limb, as the Juſtices of the Peace in open Seſſions ſhall think equal to the Quality of the ſaid Offence ſo done or committed.

Their Apparel and Diet, &c.

VII. And for the due Encouragement of Servants doing their Duty, be it enacted by the Authority aforeſaid, That all Maſters, Miſtreſſes, or others, who ſhall have the Care of any Servant or Servants retained by Indenture, Contract, or other Agreement whatſoever, to ſerve for the Conſideration of Clothes and Diet, ſhall yearly allow and give to each Servant ſo retained, the following Apparel; *viz.* Four Shirts, of brown or blue Ozenbrigs; four Pair of Breeches, and four Waſtcoats, of brown Ozenbrigs; four Pair of Shoes; three Pair of Worſted Hoſe; two Felt Hats; two Neckclothes, and two Handkerchiefs; and one large or other Stuff Coat to each Man-ſervant; and proportionably of Women's Apparel to each Woman-ſervant; and ſhall further give and pay, at the Expiration of four or more Years faithfully ſerved, to each ſuch Servant, the Sum of four Pounds current Money of this Iſland, or ſix hundred Pounds of Sugar, as the Conſideration of Wages for their Time ſerved: And each Maſter, Miſtreſs, or Manager, ſhall allow and give to each Servant, during the Time of their Servitude, the following Diet; *viz.* One Pound and a half of Salt Beef; and four Pounds of *Caſſava* or other Bread, or four Pounds of Potato's, Yams, or Tyers *per* Day.

Differences between Maſters and Servants, how to be determined.

VIII. And it is further enacted by the Authority aforeſaid, That all ſuch Differences as ſhall ariſe, in Point of Wages between a Maſter and his Servant, retained by Indenture or Covenant to ſerve for yearly Wages; or between a Maſter and his Overſeer, Labourer, or Artificer, for Performance of Contracts for Work done, or for their reſpective Wages or Salaries, or Contracts, ſhall be heard and determined by two Juſtices of the Peace; who are hereby impowered, upon any ſuch Complaint, to iſſue their Warrants, and ſummon the Parties before them, and to hear, examine, and determine all ſuch Differences, Cauſe of Complaint, Damage, or Prejudice, and examine the Parties themſelves upon Oath, where no other Proof can be had, and

ſhall

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ſhall make ſuch Order therein, as the Juſtice of the Cauſe ſhall require; and ſhall iſſue Execution thereupon, by Warrant under their Hands and Seals, for any Sum not exceeding thirty Pounds current Money of this Iſland; which Warrant ſhall be directed to the Provoſt-marſhal, or his lawful Deputy, who ſhall, under Penalty of Three Pounds current Money of this Iſland, perform punctually his Duty herein; who, by virtue hereof, ſhall levy on the Goods and Chattels of the Debtor, and make ſale thereof by publick Outcry, after ten Days Publication, at the neareſt Town, rendering the Overplus, if any, after the Debt and Charges paid, to the Owner; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Penalty on Maſters turning off Servants when ſick.

IX. And it is further enacted by the Authority aforeſaid, That it ſhall not be lawful for any Perſon, when his Servant grows ſick, or unable to perform his daily Labour, to remit any Part of ſuch ſick Servant's Time to be cleared of him, or to turn off any ſuch Servant, whereby he may happen to periſh for want, or become chargeable to the Pariſh: And if any Maſter, Miſtreſs, or other Perſon, having the Charge of Servant or Servants, ſhall offend herein, or ſhall not uſe and endeavour all lawful Means for the Recovery of ſuch their Servants, as ſhall happen to be ſick or diſeaſed during the Time of their Servitude; ſuch Maſter, Miſtreſs, or other Perſon, ſhall forfeit the Sum of Fifteen Pounds current Money of this Iſland; to be levied by Warrant of the Juſtice of the Peace before whom it ſhall be proved by the Oath of one or more Witneſſes, and paid into the Hands of the Church-wardens of the Pariſh; to be diſpoſed of towards the Maintenance of ſuch Servant ſo turned off, and Recovery of his or their Health and Strength; and the ſaid Servant ſo neglected or turned off, to be freed from his ſaid Maſter; but in caſe ſuch ſick Servant ſhall not live to the Expending the ſaid whole Sum of fifteen Pounds, then the Remainder to be diſpoſed of towards the Maintenance of the other Poor of that Pariſh.

Proviſo.

X. Provided always, That in caſe any Servant or Servants in this Iſland ſhall, through his or their own wilful Miſbehaviour, happen to have any Diſeaſe, or any broken Bones, Bruiſes, or other Impediments, whereby they have not only diſabled themſelves to perform their Labour as they ought to do, but alſo are a greater Charge, for Phyſick and Chirurgery, to their Maſter or Miſtreſs than formerly; for Satisfaction of ſuch Maſter or Miſtreſs in every ſuch Caſe, the Servant ſhall ſerve his or her ſaid Maſter or Miſtreſs, after the Time by Indenture or otherwiſe be expired, an equal Space of Time, as he or ſhe by any ſuch Means and Accident were diſabled to ſerve; any thing herein before provided to the contrary notwithſtanding: And in caſe of Refuſal to ſerve for ſuch Time, the Servant ſo refuſing ſhall, upon Complaint and Proof of the Premiſſes made by the Maſter or Miſtreſs before any Juſtice of the Peace in this Iſland, be committed to the common Gaol, there to remain, to be kept upon Bread and Water only, for ſuch Space of Time as he or ſhe ought to ſerve as aforeſaid.

Complaints on either Side, how to be adjuſted.

XI. And be it further enacted by the Authority aforeſaid, That in all Caſes whatſoever, where any Maſter or Miſtreſs ſhall miſuſe or evil treat his Servant, or his Servant ſhall have any juſt Cauſe to complain, or the Servant do not his Duty to his or her Maſter or Miſtreſs; then the ſaid Maſter, Miſtreſs, or Servant, being aggrieved, and having Cauſe to complain, ſhall repair unto one or more Juſtices of the Peace within this Iſland, who ſhall, by his or their Wiſdom and Diſcretion, make ſuch Order and Direction between the ſaid Maſter, Miſtreſs, and his or her Servant, as the Equity of the Cauſe ſhall require: And if for want of good Conformity in the Maſter or Miſtreſs, the ſaid Juſtice or Juſtices of the Peace cannot compound and agree the Matter between him or her, and the Servant; then the ſaid Juſtice ſhall take Bond of the ſaid Maſter or Miſtreſs, to appear before the Juſtices at the next Seſſions of the Peace, or before the chief Governor, Lieutenant-governor,

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Treaſurer to pay 15 *l.* for every Servant that cannot be ſold,

XII. And it is further enacted by the Authority aforeſaid, That if any Merchant or Maſter of a Veſſel ſhall import any Men-ſervants or Women-ſervants for ſale, if he cannot ſell ſuch Servant or Servants in a reaſonable Time, then it ſhall be lawful for ſuch Merchant, or Maſter of a Veſſel, to offer ſuch Servant or Servants to the Treaſurer of this Iſland for the Time being; who is required, under Penalty of Five Pounds current Money of this Iſland for each Servant (in caſe of refuſal) proved before the Commander in chief of this Iſland for the Time being, by the Oath of the ſaid Merchant, or Maſter of a Veſſel, to receive all ſuch Servant or Servants ſo offered unto him, being Natives of the Kingdom of *Great Britain*, or of any of the *Britiſh* Plantations or Colonies, or Natives of *Ireland*, being Proteſtants, and to pay out of the publick Stock to the Merchant or Maſter the Sum of fifteen Pounds current Money of this Iſland, for every able Man-ſervant who is under Covenants to ſerve four Years or more.

and to aſſign them to thoſe that have not their Number required by Law.

XIII. And it is further enacted by the Authority aforeſaid, That the Treaſurer of this Iſland for the Time being, having received and purchaſed any Servant as aforeſaid, ſhall immediately aſſign over ſuch Servant to any Planter, or other Perſons who have not their ſufficient Number of Servants, or Men in Arms, required of them by any Law of this Iſland now in force, or any Law to be hereafter made for that Purpoſe: And the Perſon to whom ſuch Servant ſhall be aſſigned, is hereby required and obliged to receive ſuch Servant, and to repay unto the Treaſurer the aforeſaid full Sum of fifteen Pounds, and the further Sum of three Pounds current Money, as a Conſideration for the Treaſurer's Pains therein, beſides his reaſonable Charges for the Time he hath kept ſuch Servant before he could aſſign him over: And if any Perſon ſhall, without reaſonable Cauſe, to be adjudged and determined by the chief Governor, or Lieutenant-governor, and Council (if any Diſpute ſhould ariſe) refuſe to receive any ſuch Servant or Servants ſo offered to be aſſigned him by the Treaſurer, and to pay the ſaid Treaſurer the aforeſaid Sums of fifteen Pounds, and three Pounds, and his reaſonable Charges for each Servant ſo delivered to him or her, as aforeſaid; then the Treaſurer ſhall, by a Warrant under the Hand and Seal of the chief Governor, or Lieutenant-governor, directed to the Provoſt-marſhal, or his lawful Deputy, levy the aforeſaid Sums and Charges on the Goods and Chattels of the Perſon ſo refuſing, and ſhall make ſale thereof, by publick Outcry, at the neareſt Town, after ten Days Publication thereof at the ſaid Town; rendering the Overplus, if any,

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after the Debt, Fees, and Charges paid, to the Owner; any Law, Statute, or Uſage to the contrary notwithſtanding. 1722.

XIV. AND be it further enacted by the Authority aforeſaid, That all Fines to be levied by virtue of this Act, and for levying of which no Proviſion is particularly made, be levied by Warrant under the Hand and Seal of the Commander in chief of this Iſland for the Time being, directed to the Provoſt-marſhal of this Iſland for the Time being, or his Deputy, who ſhall execute immediately ſuch Warrant, under Penalty of double ſuch Fine: And ſuch Fines not already by this Act applied, are to be immediately paid into the Treaſury of this Iſland; to be applied by Order of the Commander in chief of this Iſland for the Time being, towards repairing the Fortifications of this Iſland: And the Treaſurer of this Iſland, under the Penalty of Five Pounds current Money of this Iſland, ſhall, by Certificate under his Hand, notify to the Commander in chief of this Iſland for the Time being, what Sums he ſhall ſo receive, within three Days of ſuch Receipt. Fines how to be levied and applied.

An Act for attainting ſeveral Negroes therein mentioned; and for the more effectual preventing Negroes from running away from their Maſters Service; and for explaining and rendering more effectual an Act, intituled, *An Act for the better Government of Negroes, and other Slaves.* № 52.

WHEREAS it has been found by Experience, that the Laws now in force for the better Government of Negroes, and other Slaves, and for puniſhing ſuch as do withdraw from the Service of their Maſters, have proved too mild and gentle to curb and reſtrain them; and that they have ſo abuſed the Lenity of the Laws, that great Numbers of them have deſerted the Service of their Maſters, and fled to the mountainous Parts of this Iſland, and there have armed and aſſembled themſelves in Bands, to oppoſe their Maſters, and any that come in Purſuit of them; and in the Night-time, when they cannot be eaſily diſcovered or taken, do frequently commit divers Thefts and Robberies in the Plantations of this Iſland, to the inſupportable Wrong and Damage of many of His Majeſty's good Subjects: And whereas they are daily enticing other Negroes to reſort to, and join with them; and it is much to be apprehended, that their Numbers will very much increaſe, without the Aid of ſome Law, to give ſome extraordinary Encouragement for the taking their Chiefs, or Ringleaders, and for the inflicting of condign Puniſhment upon ſuch as ſhall be taken: And whereas it is notorious, that *Johnny Congo*, belonging to the Honourable Lieutenant-general *Mathew*, *Chriſtopher*, belonging to *William* M^c *Dowall* Eſquire, and *Antego Quamina*, belonging to *Marmaduke Bacheler* Eſquire, have for a long while paſt, and ſtill do head ſeveral armed Bands, or Companies of fugitive Negroes in this Iſland, and do all that in them lies to entice other Negroes to deſert their Maſters Service, and join with them; and have themſelves committed, and been the

1722. Occaſion of committing many flagrant Thefts and Felonies: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, the chief Governor of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher*'s, do moſt humbly pray Your Majeſty that it may be enacted; and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the chief Governor, Council, and Aſſembly aforeſaid, and by the Authority of the ſame, That the ſaid *Johnny Congo*, *Chriſtopher*, and *Antego Quamina*, and every of them, be, and hereby are convicted and attainted of Felony, and ſhall ſuffer the Pains of Death.

Two Negroes attainted of Felony.

II. And for the encouraging the ſpeedy taking the ſaid *Johnny Congo*, *Chriſtopher*, and *Antego Quamina*, it is hereby further enacted by the Authority aforeſaid, That if any white Perſon or Perſons ſhall apprehend and take the ſaid *Johnny Congo*, *Chriſtopher*, and *Antego Quamina*, or any of them, and ſhall deliver his or their Bodies alive into the Cuſtody of the Provoſt-marſhal of this Iſland, or his lawful Deputy, or ſhall bring ſufficient Proof of the ſaid white Perſon's having, in Purſuit of the ſaid Negro or Negroes, killed him, or any of them; he or they ſhall, for each of the ſaid Perſons ſo taken and delivered, or killed, as aforeſaid, receive from the Treaſurer of this Iſland for the Time being (who is hereby authorized and required to pay the ſame, upon a Certificate thereof from the ſaid Provoſt-marſhal, atteſted by any one Juſtice of the Peace of the ſaid Iſland) a Reward of Thirty Pounds current Money of this Iſland, or the Value thereof in Sugar.

Reward for apprehending them.

III. And for the preventing any Negroes, or other Slaves, deſerting their Maſters Service for the future, and alſo for the encouraging of ſuch as are deſerted to return thereto; be it, and it is hereby enacted by the Authority aforeſaid, That where any Negro, or other Slaves, who hath or ſhall have lived upon this Iſland for the Space of twelve Months, ſhall at any Time after the Publication of this Act, abſent or withdraw himſelf from his Maſter's, Owner's, or Renter's Service for the Term of ſix Months in one continued Space of Time; or where any ſuch Negro, or other Slave, that now is abſent from his Maſter's, Owner's, or Renter's Service, ſhall not return to the ſame within the Space of three Months after the Publication of this Act; every ſuch Offence ſhall be adjudged Felony, and the Offenders, and every one of them, ſhall ſuffer Death.

Negroes abſenting themſelves from their Owner's Service, how to be puniſhed.

IV. And in caſe any Negro, or other Slave, that now is abſent from his Maſter's Service, except the aforeſaid *Johnny Congo*, *Chriſtopher*, and *Antego Quamina*, ſhall voluntarily come in, and ſurrender himſelf to his Maſter, or any Magiſtrate in this Iſland, within the aforeſaid Term of three Months; ſuch Negro, or other Slave, ſo ſurrendering, ſhall be, and is hereby pardoned and acquitted of any Offence (Murder only excepted) which he ſhall or may have committed during the Time of ſuch his Abſence, and before his Notice of this Act.

Encouragement for abſent Negroes to return to their Owners.

V. And be it further enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall kill any Negro, or other Slave, who has been abſent for the aforeſaid Term of ſix Months in one continued Space of Time from his Maſter's, Owner's, or Renter's Service, after the Publication of this Act; or ſhall apprehend or take any ſuch Negro, or other Slave, ſo as that he be legally convicted of ſuch Offence; ſuch Perſon or Perſons ſhall receive a Reward for every ſuch Negro, or other Slave, ſo killed or taken, from the Treaſurer of this Iſland for the Time being (who is hereby authorized and required to pay the ſame) upon due Proof made before any one Magiſtrate of this Iſland, of his or their killing ſuch Negro, or other Slave, or upon Certificate of ſuch Conviction from the Magiſtrate before whom ſuch Negro, or other Slave, was tried, the Sum of Six Pounds current Money of this Iſland, or the Value thereof in Sugar.

Reward for killing or taking them.

VI. And

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Entertaining, &c. run-away Slaves, how to be punished.

VI. And be it further enacted by the Authority aforeſaid, That after any Negro, or other Slave, is or ſhall be run away from the Service of his Maſter, Owner, or Renter; every Negro, or other Slave, who, knowing ſuch Negro, or other Slave, is run away from his Maſter's, Owner's, or Renter's Service, ſhall entertain, harbour, receive, or conceal; or any ways aid, aſſiſt, or comfort, afford or give any Suſtenance to any ſuch Negro, or other Slave, ſo run away; ſhall, upon Conviction thereof, according to the Laws and Cuſtoms of this Iſland, for the firſt Offence be publickly whipt upon the bare Back with any Number of Stripes, not exceeding fifty; and if it ſhall happen that any ſuch Offender or Offenders ſhall be convicted a ſecond Time of the like Offence, he or they, upon ſuch ſecond Conviction, ſhall be adjudged to be publickly whipt upon the bare Back with any Number of Stripes, not exceeding one hundred; and if ſuch Offender or Offenders ſhall be thereof convicted a third Time, he or they, upon ſuch third Conviction, ſhall be adjudged to have a further Number of Stripes, not exceeding one hundred and fifty; and ſo for each After-offence.

Penalty on free Perſons harbouring, &c. them.

VII. And every other free Perſon or Perſons, who, knowing that ſuch Negro, or other Slave, is run away from his Maſter's, Owner's, or Renter's Service, ſhall entertain, harbour, receive, or conceal; or any ways aid, aſſiſt, or comfort, afford, or give any Suſtenance to any ſuch Negro, or other Slave, ſo run away; ſhall forfeit (to be levied as hereafter directed) for the firſt Offence the Sum of Ten Pounds current Money of this Iſland; and for the ſecond Offence, double, and ſix Months Impriſonment; and for the third Offence, One hundred Pounds, and one Year's Impriſonment; and be moreover liable to pay for any ſuch Offence to the Owner of ſuch run-away Negro, or other Slave, ſuch ſeveral Sum or Sums of Money as are mentioned and enacted in an Act of this Iſland, intituled, *An Act for the better Government of Negroes, or other Slaves*, and paſt in the tenth Year of Her late Majeſty's Reign; which ſaid aforementioned Act is hereby confirmed, and declared to be in force, to all Intents and Purpoſes whatſoever.

When they are apprehended, two Juſtices may award Execution againſt them, &c.

VIII. And be it further enacted by the Authority aforeſaid, That whenever any of the aforeſaid Negroes, attainted by this Act, ſhall be apprehended, any two Juſtices of the Peace may and ſhall award Execution to be done on his or their Bodies, by Warrant under their Hands and Seals, directed to the Provoſt-marſhal, or his lawful Deputy; and that all Felonies, or other Crimes, created by this Act, and committed by any Slave, ſhall be tried and adjudged; and all Slaves condemned to die before Execution, ſhall be valued and appraiſed, to be paid for by the Treaſurer of this Iſland, as is directed by the aforeſaid Act; and in all Trials of Negroes, or other Slaves, the Juſtice or Juſtices ſhall and may hear the Evidence of any other Slave, and give ſuch Credit thereunto, as he or they ſhall in Conſcience be convinced ſuch Evidence deſerves.

Negro Houſes may be ſearched for ſuch Slaves, &c.

IX. And for the eaſier and readier apprehending of any Negro, or other Slave, run away from his Maſter's or Owner's Service; be it, and it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Maſter or Owner of any Negro, or other Slave, or any other Perſon or Perſons by his Direction, to enter any Negro Houſe or Houſes, by Night or Day, to ſearch for any Negro, or other Slave, abſenting himſelf from his Service, without any Warrant from any Magiſtrate for that Purpoſe, having firſt given Notice thereof to the Maſter, Owner, or Overſeer, on the ſaid Plantation.

Penalty on their Owners neglecting to proſecute them for Murder, &c.

X. And be it further enacted by the Authority aforeſaid, That if any Negro, or other Slave, ſhall have abſented himſelf from his Maſter's Service above the Space of ſix Months; or ſhall have wilfully murdered any Chriſtian, or Slave, belonging to his own Maſter, and the Maſter or Owner of ſuch Negro, or other Slave, ſhall conceal or neglect to proſecute ſuch Slave, guilty of any the aforeſaid Crimes, for the Space of three Months after ſuch Offence committed;

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mitted; that then, and in ſuch Caſe, if any other Perſon ſhall proſecute ſuch Slave for ſuch Offence, and he, ſhe, or they ſhall be legally convicted thereof, the Maſter or Owner of ſuch Negro, or other Slave, ſhall forfeit and pay the full Value of the ſaid Slave to the Perſon or Perſons ſo proſecuting; and the Maſter or Owner in ſuch Caſe, ſhall be, and is hereby debarred from receiving from the Treaſurer or Publick of this Iſland, any Sum or Sums of Money, or other Conſideration, for ſuch Negro, or other Slave, ſo convicted or executed; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Penalties incurred by Owners of Slaves, how to be levied.

XI. AND for the more ſpeedy and effectual inforcing the Payment of ſuch Forfeiture, it is hereby further enacted by the Authority aforeſaid, That any Juſtice of the Peace for this Iſland, may in ſuch Caſe iſſue out his Warrant, directed to two ſubſtantial Perſons, to value and appraiſe ſuch Negro, or other Slave, ſo proſecuted and convicted, as aforeſaid; and in caſe the Maſter or Owner ſhall refuſe to pay what he, ſhe, or they ſhall ſo be appraiſed at, to iſſue his Warrant to the Provoſt-marſhal, or any Conſtable in the ſaid Iſland, commanding him to levy the ſame upon the Goods and Chattels of ſuch Maſter or Owner, and to pay the ſame to the Perſon or Perſons ſo proſecuting as aforeſaid.

Slaves not permitted to go out of their Owner's Plantations without a Ticket, &c.

XII. AND be it further enacted, That no Maſter, Owner, or Renter of Negroes, or other Slaves, ſhall give any Slave or Slaves Leave on *Sundays*, or any other Time, to go out of their Plantations (except ſuch as uſually wait upon them, and no other) except with a Ticket under the Maſter's, Miſtreſs's, or Manager's Hands, ſpecifying the Time allowed ſuch Negro, or other Slave, to be abſent; and if any Maſter or Owner of a Plantation finds any Negro or Slave on his Plantation without a Ticket, or Buſineſs from his Maſter or Owner, and doth not puniſh him with a moderate Whipping, not exceeding twenty Stripes, he ſhall forfeit Twelve Shillings current Money.

on pain of being apprehended and whipt, &c.

XIII. AND be it further enacted by the Authority aforeſaid, That any white or free Perſon or Perſons may apprehend any Negro or Negroes, or other Slave or Slaves, that ſhall be found out of his Maſter's or Owner's Plantation at any Time, eſpecially *Saturday*-nights, or *Sundays* and Holy-days, not being on their Maſter's or Miſtreſs's Buſineſs, nor having ſuch a Ticket, or not having a white Man with them (except as before) and the ſaid Negro or Negroes, Slave or Slaves, may correct with moderate Whipping, as aforeſaid: And if any ſuch Negro, or other Slave, ſhall be armed with Clubs, wooden Swords, or other miſchievous Weapons, and found out of their Maſter's or Owner's Plantation, though with a Letter or Ticket, they may be taken up, diſarmed, and whipped, as aforeſaid.

Penalty on Maſters ſuffering them to blow Horns, &c.

XIV. AND be it enacted by the Authority aforeſaid, That whatſoever Maſter, Miſtreſs, Manager, or Overſeer, who has any Negroes under his Care, ſhall ſuffer his or their Negroes or Slaves, at any time, to beat Drums, blow Horns, or uſe any other loud Inſtruments, or ſhall ſuffer any publick Meetings or Feaſtings of ſtrange Negroes, or other Slaves, in his or her Plantation; he or ſhe ſo offending, ſhall forfeit Twenty Pounds current Money for every ſuch Offence; provided Information of the ſame be made and given upon Oath to one of His Majeſty's Juſtices of the Peace of this Iſland, within one Month after ſuch Offence committed.

Negroes Houſes to be ſearched every 14 Days, and Goods not honeſtly come by, taken thereout, &c.

XV. AND that every Maſter, Miſtreſs, or Overſeer of a Family, ſhall, under the Penalty of Twenty Shillings current Money, cauſe all his or her Negroes Houſes to be ſearched once every fourteen Days at the leaſt, for run-away Negroes, Clubs, wooden Swords, and other miſchievous Weapons, and alſo for Clothes, and other Goods not honeſtly come by; and what they ſuſpect to be ſtolen they ſhall ſeize, and give Notice thereof to the Clerk or Conſtable of the Pariſh, within ſix Days after, who ſhall ſet up a ſhort Notice of the ſame on the

the Posts of the Church-door; whereby the Looser, declaring the Marks, or describing the Goods, may have the same again without Cost or Charges. 1722.

XVI. And be it further enacted by the Authority aforesaid, That such Christians as shall apprehend and bring any run-away Negro unto the Provost-marshal of this Island, or his Deputy, or to the Gaol, shall deliver upon Oath an Account of the Name, and when and where he apprehended such fugitive Slave, and that he knew of no Ticket the Slave had, nor of his Owner; and the Keeper of the Gaol, at the Re-delivery of such Slave, shall take a Receipt of the Person to whom delivered, with a Description of the Slave delivered. The Name of any Slave, and where apprehended, to be delivered on Oath.

XVII. And be it further enacted by the Authority aforesaid, That the Commanding Officer on this Island for the Time being, if he shall have Notice of the residence or hiding of any run-away Negroes, or other fugitive Slaves, shall and may raise and arm, of Dragoons, or Foot Militia, a sufficient Number of Men, to pursue and apprehend, or kill any such Negroes, or other Slaves: And if any Person of the Dragoons, or Foot, being in Health, and able to travel, shall refuse to go in quest of such Run-aways, he shall forfeit Thirty Shillings current Money: And whoever shall apprehend or take any run-away Slave, absconding in the Mountains of this Island, or in the Lands lying to Windward of *Frigate* Bay, or who hath been absent from his Master's Service two Months, or more; shall receive, as a Reward for taking and apprehending each and every such Negro, the Sum of Twenty eight Shillings; to be paid by the Owner of the said Negro, if delivered to him; or by the Marshal, if delivered at the Gaol. Commanding Officer to raise the Militia to pursue Negroes.

XVIII. And be it further enacted by the Authority aforesaid, That whatsoever Negro, or Slave, shall hear another Negro, or Slave, speaking any Words tending to Mutiny or Rebellion; or that shall have, or shall prepare any Guns, Powder, Ball, Swords, or warlike Instruments, other than what are allowed for watching, and shall discover the same to any Justice of the Peace; the said Justice, and one other next Justice, shall cause the Slave accused to be apprehended; and if they find the Accusation just, the said Slave shall be tried by two Justices of the Peace, in the Manner as Murthers, and other Felonies, are hereby before directed to be tried; and if the said Slave be found guilty, and condemned to Death, he shall be appraised in such Manner as, and at no greater Price, than is appointed and limited in and by the abovementioned Act; and the Negro, or Slave, giving such Information, shall be paid by the Treasurer, out of the Treasury, Three Pounds current Money: But if any Negro, or Slave, so accusing or informing against any other Negro, or Slave, shall not make good his Accusation, to the Satisfaction of the Persons who shall try the Negro, or Slave, so accused; then such Accuser shall have and receive such Punishment, not extending to Life or Member, as the said Justices shall think fit. Negroes discovering others preparing to rebel, to have 3 *l.* Reward, on Conviction of the Parties.

XIX. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall buy any Sugar, Rum, Molosses, Syrup, Cotton, Wine, or other Strong-liquors, Plate, wearing Apparel, or houshold Goods, from any Negro, or other Slave, except such Negro, or Slave, shall have a Ticket for that Purpose from his or her Master, Owner, Renter, or Overseer; such Buyer or Purchaser, being legally convicted of any such Crime, not exceeding twenty Shillings Value, shall suffer six Months Imprisonment; and for every such Crime exceeding twenty Shillings Value, shall be, and is hereby declared to be guilty of Felony, and shall suffer accordingly. Penalty on Persons buying any Goods of Slaves not having a Ticket for that Purpose.

XX. And it is further enacted by the Authority aforesaid, That the one Moiety of all the Penalties and Forfeitures imposed, laid, and arising by virtue of this Act, shall be paid to the Treasurer of this Island for the Time being, for the defraying the publick contingent Charges of this Island; and the other Moiety thereof to the Informer; to be levied by Distress and Sale of Forfeitures how to be divided.

1722. the Goods and Chattels of every and any Perſon or Perſons offending or acting contrary to this Act, and the true Meaning and Intent thereof, by Warrant under the Hand and Seal of any one Juſtice of the Peace of this Iſland; to be directed to the Provoſt-marſhal, or his lawful Deputy, or to any Conſtable of the Iſland.

Perſons ſued, may plead the general Iſſue.

XXI. AND be it further enacted by the Authority aforeſaid, That in every Action, Suit, Indictment, Information, or Proſecution, wherein or whereby any Perſon or Perſons ſhall be ſued, indicted, proſecuted, or moleſted, for the doing of any Matter or Thing in the ſaid Acts, or either of them, contained; it ſhall be lawful for all and every the ſaid Perſons, their Heirs, Executors, and Adminiſtrators, to plead the general Iſſue, and to give this Act in Evidence in any Court or Courts of Juſtice where the Matter ſhall be depending: And alſo, that the ſaid Acts, and either of them, ſhall be taken and allowed in all Courts within this Iſland as publick Acts; and all Judges, Juſtices, and Juries, are hereby required to take Notice thereof accordingly.

1722-3. *An Act for regulating Veſtries; and for erecting into a Pariſh Part of the Quarter of this Iſland called* Baſsterre *Quarter, by the Name of the Pariſh of St.* George Baſsterre; *and for repealing an Act of this Iſland,* intituled, *An Act for regulating the Veſtries, paſſed in the tenth Year of Her late Majeſty's Reign; and for annexing other Parts of the ſaid Quarters to the reſpective Pariſhes of St.* Mary Cayon, *and* Trinity Palmeto *Point.*

№° 53. Repealed.

№° 54. *An Act for enjoining all Veſſels or Perſons coming from Places infected with the Plague, Small-pox, or other contagious Diſtempers, to perform a due Quarentine; and to prevent as much as may be the Dangers with which this Iſland is at preſent threatened, by the Small-pox being already therein.*

FORASMUCH as ſeveral Parts of *France* are at preſent afflicted with a grievous Plague; which, unleſs due Care be taken, may, by Veſſels directly from thence, or from the *French* Iſlands, bring a Contagion into this Iſland:

Iſland: And whereas this Iſland has many times ſuffered by the Small-pox, and other infectious Diſtempers, brought hither by Veſſels coming from the Coaſt of *Guinea*, *New England*, and other infected Places: For preventing which Evil as much as in human Diſcretion may be, no Act of this Iſland having been yet made, to give a due Authority for ſo good an End; we therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in chief of theſe Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of St. *Chriſtopher*'s, do pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Governor in chief of the Leeward Carribbee Iſlands, and the Council and Aſſembly of this Iſland, That from and after the Date of this Act, no Veſſel whatſoever, coming to this Iſland from any Country infected with the Small-pox, Plague, or any contagious Fever, ſhall permit any Perſon to come on Shore, or preſume to land on this Iſland from on board the ſaid Veſſel any Goods or Merchandize whatſoever, until the Maſter or Commander of the ſaid Veſſel ſhall, if coming from any Country infected as aforeſaid, have produced a Certificate, as hereafter expreſſed, or performed a due Quarentine, as hereafter directed: And all Maſters or Commanders of Veſſels, or other Perſons coming from any Country infected, as aforeſaid, who ſhall preſume to put, or ſuffer to be put on Shore any Perſon or Goods in Contempt of this Act, having firſt Notice thereof, as hereafore directed; he ſhall ſuffer for ſuch Crime ſix Months Impriſonment, and forfeit the Sum of One hundred Pounds of current Money of this Iſland; to be levied and applied as by this Act is hereafter directed. 1722-3.

Penalty on Maſters of Ships coming from infected Places, landing Perſons or Goods.

II. And be it further enacted by the Authority aforeſaid, That no Veſſel be permitted to ſend any Boat with Goods or Perſons on Shore, till they have been firſt hailed by the Gunner of the reſpective Fort or Battery where they arrive, to whom they ſhall give a true Anſwer, whence they came; and if it ſhall ſo happen the ſaid Veſſel came from any infected Country, the ſaid Gunner ſhall forbid their landing any Goods, or coming on Shore, but order them to return on board; which if they obſtinately refuſe, he ſhall oblige them ſo to do, by firing at them with ſmall Arms, or from his Battery: And every Gunner neglecting to perform his Duty, ſhall for ſuch Offence be removed from his Place as Gunner, and ſuffer ſix Months Impriſonment, without Bail or Mainprize; the ſaid Committment to be made by Warrant under the Hand and Seal of the Commander on this Iſland for the Time being, directed to the Deputy Provoſt-marſhal of this Iſland.

Gunner of any Fort may hinder ſuch Perſons landing.

III. And be it further enacted by the Authority aforeſaid, That, to the Intent no Veſſel or Perſon coming to this Iſland may meet with any Let or Moleſtation, or be any ways hindered from landing Perſons or Goods, but ſuch only as come from Places infected, as aforeſaid, the Commander in chief on this Iſland for the Time being is hereby required from Time to Time, and at all Times, to give Directions in Writing to the ſaid Gunners, what Places and Countries he has Intelligence of being infected with ſuch contagious Diſtempers.

Commander in chief to give Notice to Gunners what Places he is informed are infected.

IV. And be it further enacted by the Authority aforeſaid, That, leaſt any infectious Diſtempers, as aforeſaid, be brought into this Iſland from any Place or Country, of which no Notice can have been afore had, of contagious Diſtempers raging there, or by any Veſſel actually having ſuch Diſtemper on board, the ſaid Gunner ſhall, at hailing every Veſſel, as aforeſaid, enquire whether any Perſon on board have any infectious Diſtemper, or come from any Place infected with any ſuch Diſtemper; and on his giving them Notice of the Penalties mentioned in this Act (if by Falſhood or Deceit they contravene nevertheleſs to the Meaning and Intent of this Act) then the Commander of ſuch Veſſel ſhall ſuffer as abovementioned.

If no ſuch Information can be given, Gunner to enquire of the Maſter of the Veſſel, &c.

V. And

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A Surgeon to be provided to ſearch the Ship, &c.

V. AND be it further enacted by the Authority aforeſaid, That the Commander in chief on this Iſland for the Time being, ſhall direct and appoint a Chirurgeon at each Town on this Iſland, or ſome Perſon of Credit, if no Chirurgeon live there, or within convenient Diſtance; to whom the Gunner abovementioned ſhall give immediate Notice of any Veſſel being arrived, as aforeſaid, from any infected Country, or from the Coaſt of *Guinea*; who ſhall immediately repair on board ſuch Veſſel, and make ſtrict Enquiry, whether any Perſon labouring actually under any infectious Diſtemper be on board; in which Caſe he ſhall inform the ſaid Veſſel of the Meaning and Penalties of this Act, and enjoin their immediately departing this Iſland, to perform Quarentine; and on his coming on Shore, ſhall not preſume to go into any Company till he have ſhifted all his Clothes; and ſhall then give the Gunner Notice, not to permit any Boat with Perſons or Goods, on any account whatſoever, to come on Shore; but by firing ſmall Arms, or Guns from his Battery, ſhall oblige the ſaid Veſſel to ſail immediately from this Iſland.

To give a Certificate to the Gunner, if no infected Perſons are on board.

VI. AND be it further enacted, That where the ſaid Chirurgeon or Perſon ſhall find ſuch Veſſel, ſo coming from *Guinea*, or any other infected Country (Places afflicted with the Plague only excepted) on board, whereof no Perſon ſhall be labouring actually under any infectious Diſtemper, as aforeſaid, he may, and is hereby required to give a Certificate under his Hand, certifying no ſuch infected Perſon being on board; upon which Certificate, and Notice thereof, on his coming on Shore to the Gunner, the ſaid Veſſel may be permitted to unlade, and the Perſons on board to come on Shore.

Penalty on Perſons going on board before Ship is ſearched.

VII. AND be it enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall preſume to go on board any Ship or Veſſel coming to this Iſland, before the Gunner ſhall have hailed ſuch Ship or Veſſel; and if come from any infected Place, or from the Coaſt of *Guinea*, before a Chirurgeon ſhall have ſearched ſuch Ship or Veſſel, and made his Report of the Health of the Perſons on board; ſuch Perſon and Perſons ſhall ſuffer three Months Impriſonment, and forfeit and pay the Sum of Fifty Pounds current Money of this Iſland; to be levied and applied, as hereafter directed.

Surgeon's Fee.

VIII. AND be it further enacted, That the Chirurgeon, or Perſon as aforeſaid, may for his Trouble of going on board, and viewing the Veſſel as aforeſaid, before he give ſuch Certificate, demand and receive of the Maſter or Commander of the ſaid Veſſel, a Sum not exceeding twenty eight Shillings; any Cuſtom, Law, or Uſage to the contrary in any wiſe notwithſtanding.

IX. AND be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, who ſhall go in any Boat with the Chirurgeon, or Perſon as aforeſaid, ſhall preſume to go on board any ſuch Ship or Veſſel, under Penalty of one Month's Impriſonment, without Bail or Mainprize; to which ſuch Offender ſhall be adjudged by any Juſtice of the Peace in this Iſland, upon Proof thereof made before him, by the Oath of one or more credible Witneſs: Nor ſhall the ſaid Chirurgeon, or any Perſon going to make ſuch View, or the Boat's Crew which ſhall carry him on board, permit any Perſon whatſoever, on any account whatſoever, to come on Shore from ſuch Ship or Veſſel in the ſaid Boat with them, under Penalty of forfeiting the Sum of One hundred Pounds current Money; to be levied and applied as herein after directed.

Penalty on Surgeon permitting any Perſons to come aſhore with him from the Veſſel;

and on Sailors, &c. belonging to any Boat, refuſing to go with the Surgeon to the Ship.

X. AND be it further enacted by the Authority aforeſaid, That any Gunner, or other Perſon or Perſons, may, on Refuſal of any Owner of any Boat or Canoe, oblige and force the Sailors, or Perſons belonging to the ſaid Boat or Canoe, to go immediately with the Chirurgeon, or Perſon aforeſaid, on board ſuch Veſſel; which if they obſtinately refuſe to do, he or they may charge the neareſt Conſtable with the Cuſtody of their Perſons, who ſhall carry them to the neareſt Magiſtrate, who having Proof by Oath of the ſaid Gunner, or other Perſon or Perſons, of ſuch Refuſal, is hereby required and authorized to commit them to the Gaol of this Iſland, there to remain for the

Space

Space of one Month, without Bail or Mainprize, by Warrant under his Hand and Seal, directed to the Deputy Provoſt-marſhal of this Iſland for the Time being. 1722-3.

Penalty on Deputy's Default.

XI. And be it further enacted by the Authority aforeſaid, That the ſaid Deputy Provoſt-marſhal of this Iſland for the Time being, or any his Deputy, ſhall for every Refuſal or Neglect of any Duty enjoined him by this Act, forfeit the Sum of Twenty Pounds current Money; to be levied and applied, as hereafter expreſſed.

Chirurgeon to examine Ships immediately upon Notice.

XII. And be it further enacted by the Authority aforeſaid, That leaſt any Veſſel coming to this Iſland meet with any unneceſſary Delay, to prevent her trading as uſual, the Chirurgeon, or Perſon aforeſaid, is hereby required, on Notice from the Gunner, as aforeſaid, to repair immediately on board ſuch Veſſel, to view her, and thoſe on board, and to do ſuch Duties as are required by this Act, under Penalty of forfeiting the Sum of Twenty Pounds current Money; to be levied and applied, as hereafter directed, upon Proof of the ſaid Perſon or Chirurgeon's having made ſuch Delay without juſt Cauſe or Reaſon, by the Oath of the ſaid Gunner, and upon Complaint of the Maſter or Commander of the ſaid Veſſel; which Oath and Complaint ſhall be made within forty eight Hours at fartheſt after ſuch Refuſal or Neglect, before the Commander on this Iſland for the Time being.

Commander may oblige Chirurgeons to perform the Duties of the Act.

XIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commander on this Iſland for the Time being, to oblige any Chirurgeon, living in any Town, or within any convenient Diſtance of the ſame, to perform the Duties enjoined by this Act, on Penalty, in caſe of Refuſal, of being by this Act rendered incapable of practiſing as a Chirurgeon, Apothecary, or Doctor in this Iſland; and on Penalty of One hundred Pounds, if he be proved guilty of ſuch Refuſal or Neglect, and do nevertheleſs preſume to practiſe, as aforeſaid.

Gunner to oblige Veſſels from infected Places to Quarentine;

XIV. And be it further enacted by the Authority aforeſaid, That on any Veſſel's coming from any Place infected with the Plague, or other ſuch Diſtemper, as aforeſaid; the Gunner, upon his hailing them, and learning by their Anſwer they come from ſuch Places ſo infected, ſhall give them Notice not to permit any Perſon whatſoever to come on Shore, nor any Perſon whatſoever to go on board, until ſuch Ship or Veſſel ſhall have performed the Quarentine herein after directed, and until ſuch Certificate as is herein after directed ſhall be given, of the Health of the Perſons on board: And it ſhall and may be lawful for the ſaid Gunner, or any other Perſon, if he or they can by no other Means prevent them, to kill, and put to Death with any Weapon any Perſon ſo coming on Shore, notwithſtanding ſuch Notice from the Gunner, as aforeſaid, from on board any Veſſel coming from any Country ſo infected, or on board of which the Plague, or any of the Diſtempers aforeſaid may actually be; nor ſhall ſuch Veſſel remain at Anchor in any Road of this Iſland, but ſhall immediately be obliged to depart thence to the Place herein after appointed for the performing Quarentine, by firing ſmall Arms or great Guns at them: And no Perſon whatſoever, that in Contravention of this Act ſhall preſume, notwithſtanding ſuch Notice, to go on board any Veſſel coming from any Country infected as aforeſaid, or having the Plague, or any of the ſaid Diſtempers on board them, ſhall be permitted to return on Shore, but deemed Perſons belonging to the ſaid Veſſel; and on their endeavouring ſo to do, may be killed or deſtroyed, as aforeſaid.

and to retire;

XV. And be it further enacted by the Authority aforeſaid, That every Veſſel coming to this Iſland from any Place, or having on board any Perſons infected with the Plague, Small-pox, or any contagious Fever, ſhall immediately, upon Notice thereof given, depart from the Port or Place where ſhe may happen to arrive; and in caſe the Perſons on board ſuch Veſſel ſhall refuſe or delay ſo to do, the Gunner, or other Perſon commanding in any the Forts

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or Batteries of this Iſland, is hereby required and enjoined by Force to compel them ſo to do; but ſuch Ship or Veſſel ſo departing, ſhall and may nevertheleſs, if the Maſter, or other Perſon on board thereof think fit, lie at Anchor at a certain Place in this Iſland, called *French Fig-tree* Fort, and at the Diſtance of one Mile at the leaſt from the Shore, but at no other Bay or Place within the ſame; and after the ſame Veſſel ſhall have continued there by the Space of forty Days, if the ſaid Veſſel hath come from any Place, or has or hath had any Perſon on board infected with the Plague; or by the Space of thirty Days, if the ſaid Veſſel hath come from any Place, or has or hath had any Perſon on board infected with the Small-pox, or any contagious Fever; it ſhall and may be lawful for any Perſon on board the ſaid Veſſel to come on Shore in this Iſland, and to bring the ſaid Veſſel into any Port, Road, or Bay in this Iſland, and there unload the ſame, and trade, as they might have done in caſe they had not come from any ſuch infected Place; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding: Provided the Chirurgeon, or other Perſon ſo for that Purpoſe to be appointed, as aforeſaid, ſhall give a Certificate under his Hand, and atteſt the ſame upon Oath before any Magiſtrate in this Iſland, That no Perſon belonging to, or being in ſuch Veſſel, then is, as he knows or believes, infected, or ſick of any of the Diſtempers aforeſaid; and that the Bedding, wearing Apparel, and other Clothes uſed by any Perſon, who hath laboured under any of the ſaid Diſtempers on board ſuch Veſſel, be firſt burned or deſtroyed.

Limitation of Diſtance, and Time.

Veſſels not diſcharged before Certificate and Oath of the Chirurgeon firſt made.

Caution againſt *French* Veſſels.

XVI. And be it further enacted by the Authority aforeſaid, That until a certain Account do come of the Plague's being entirely ceaſed in the Kingdom of *France*, no Veſſel whatſoever of any Nation coming from *Martinique*, *Guardaloupe*, or any other *French* Settlement, ſhall be permitted to lie at Anchor in any Road in this Iſland; nor any Perſon to come on Shore from on board them, until the Perſon, or Chirurgeon aforeſaid, ſhall have viewed and certified, as aforeſaid; and the Gunners reſpectively are to give due Notice herein, as afore directed.

Proviſion for Ships in Diſtreſs.

XVII. And be it further enacted by the Authority aforeſaid, That in caſe any Veſſel coming from Places infected with Small-pox, or other contagious Diſtempers, be in great Diſtreſs, for want of Wood, Water, or Proviſions, except ſuch as come from Places infected with the Plague, it ſhall and may be lawful for any of His Majeſty's Subjects to carry ſufficient Supplies on board them: Provided nevertheleſs, That they do not preſume, under the Penalties mentioned in this Act, to return on Shore till they have performed on board the ſaid Veſſel the Quarentine enjoined by this Act to be performed by the Perſons belonging to the ſaid Veſſel.

Forfeitures how to be levied and applied.

XVIII. And be it further enacted by the Authority aforeſaid, That all Fines and Forfeitures directed to be levied by this Act, ſhall be by Warrant under the Hand and Seal of the Commander of this Iſland for the Time being, directed to the Deputy Provoſt-marſhal of this Iſland for the Time being, who ſhall levy the ſame within three Days after the Date of ſuch Warrant, on the Goods and Chattels of ſuch Offender, if he refuſe on Demand to pay the ſame; and for want of ſuch Goods, he ſhall arreſt and attach the Perſon of the ſaid Offender, and him in ſafe Cuſtody keep, till the ſaid Fine and Forfeiture, with the uſual Fees to him the ſaid Deputy Provoſt-marſhal, be paid and diſcharged; and where ſuch Goods and Chattels ſhall be ſeized, they ſhall be ſold at publick Outcry in the neareſt Town, on due Notice being firſt given thereof to the Offender, between the Hours of Nine and Twelve in the Forenoon; rendering the Overplus, if any be, to the Owner, after ſuch Fines, and the uſual Fees be diſcharged: And all Fines and Forfeitures ſo levied, as aforeſaid, ſhall be paid into the Hands of the Treaſurer of this Iſland for the Time being; to be applied as from Time to Time ſhall be directed by the Commander in chief on this Iſland for the Time being, with the Advice and Conſent

ſent of the Council and Aſſembly of this Iſland, towards erecting, ſupporting, and maintaining an Hoſpital, or Infirmary in this Iſland. 1722-3.

XIX. And whereas divers Perſons in the Quarter of *Baſsterre* in this Iſland, are already afflicted with the Small-pox: To prevent therefore as much as may be the ſaid Diſtemper from ſpreading further, be it, and it is hereby further enacted by the Authority aforeſaid, That a Houſe or Houſes be immediately erected at the *Bluff* Point, and any other Place in the ſaid Quarter, if the Commiſſioners to be appointed, as herein after directed, or any three of them ſhall ſee fit, ſufficient to ſerve as an Hoſpital for the receiving of all ſuch Negroes and Slaves, as now, or at any Time hereafter may have the ſaid Diſtemper, or any other contagious Diſtemper: And that if any Negro, or other Slave within the ſaid Quarter, ſhall hereafter be taken with the ſaid Diſtempers, or any of them, the Owner or Maſter of ſuch Slave, or, in his Abſence, whoever elſe ſhall have the Care and Command of ſuch Slave, ſhall, within four Hours after Notice of any Slave's having the ſame, convey, or cauſe the ſame Slave to be conveyed to the ſaid Houſes or Hoſpitals, or one of them: And in caſe the Small-pox, or any contagious Diſtemper ſhall break out in any other Quarter of this Iſland, it ſhall be in the Power of the Commiſſioners to be appointed, as herein after directed, or any three of them, to erect, or cauſe to be erected any Houſe or Houſes in the ſame Quarter, for the receiving ſuch Negro or Slave, or any other Slaves that may then after be viſited with ſuch Diſtemper within the ſaid Quarter.

Houſes to be erected for the Reception of infected Slaves;

XX. And it is hereby further enacted by the Authority aforeſaid, That a ſufficient Number of Perſons ſhall be provided and hired by ſuch Commiſſioners, or any three of them, to take Care of, and adminiſter Phyſick, and other Neceſſaries for ſuch Slaves, as ſhall be ſent thither: And that the Charge and Expence thereof, as well as of the building ſuch Hoſpital, as aforeſaid, and providing Guards, as is herein after mentioned, ſhall be defrayed out of the Publick Stock, or Monies of this Iſland: And the Commander in chief of this Iſland for the Time being, may, and is hereby impowered to order the Treaſurer of this Iſland for the Time being (who is hereby authorized and impowered ſo to do) to pay any Sum or Sums of Money which he ſhall ſee neceſſary for the Purpoſes aforeſaid: And in caſe any Maſter of any Slave, or ſuch Perſon aforeſaid, ſhall conceal ſuch Diſtemper, or neglect to ſend his Slave having ſuch Diſtemper, as aforeſaid, to ſuch Hoſpital ſo provided, or to be provided, as aforeſaid, by the Space of four Hours after he ſhall have Knowledge thereof; or in caſe any Perſon adminiſtring Phyſick, as Doctor in this Iſland, where he knows or believes any white Perſon or Slave hath ſuch Diſtemper, ſhall not give immediate Notice thereof to the Commiſſioners beforementioned, or one of them in that Quarter where the ſame ſhall be; ſuch Doctor or Maſter, or ſuch Perſon as aforeſaid, being thereof convicted before any Magiſtrate, upon the Oath of one or more credible Witneſs, or other ſufficient Teſtimony, ſhall forfeit the Sum of One hundred Pounds current Money; to be levied on his Goods and Chattels, and to be applied in like Manner as the other Forfeitures beforementioned.

and ſupplied at the Publick Expence.

Penalty on Doctors or Maſters concealing the Diſtemper.

XXI. And be it, and it is hereby enacted by the Authority aforeſaid, That the Commander in chief of this Iſland for the Time being, ſhall have full Power and Authority to nominate and appoint four Perſons in each Quarter of this Iſland, to be Commiſſioners for the putting this Act in Execution, and the ſame Commiſſioners at any Time to diſplace, and to appoint others in their ſtead; which ſaid Commiſſioners, or any two of them, are hereby impowered and authorized to place Guards, as well over ſuch Hoſpitals, as over the Houſes of any white Perſons where the ſaid Diſtempers, or any of them may happen to be, to prevent the Acceſs of any Perſons (ſuch Perſon or Perſons as are neceſſary to attend the Sick, only excepted) to ſuch Houſes, and to hinder the Sick, or any other Perſons reſiding in the ſaid Houſes from going abroad, till the

Commander to appoint Commiſſioners to execute the Act;

1722-3. the Commiſſioners aforeſaid, or any two of them, ſhall be ſatisfied the Infection is over, and ſhall give them Leave ſo to do.

who are to viſit ſuſpected Places.

XXII. And it is hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or any two of them, in the reſpective Quarters where they ſhall be appointed, to viſit all ſuch Plantations and Houſes there, as they ſhall be informed, or ſhall ſuſpect any ſuch Diſtemper to be.

Commander to appoint a Guard over infected Houſes.

XXIII. And it is hereby further enacted by the Authority aforeſaid, That the Commander in chief of this Iſland for the Time being, ſhall, and hereby hath full Power and Authority to hire, and in caſe a ſufficient Number of Perſons cannot be hired, to impreſs any Perſon or Perſons he ſhall think fit, who have already had the Small-pox, to guard ſuch Houſes, as aforeſaid; and to order ſuch a Number of Perſons for the Guard of ſuch Houſes, as the Commiſſioners aforeſaid, or any two of them ſhall require: And in caſe any Perſon or Perſons ſhall preſume to go abroad from any Houſe after any Guard is placed there, further than the Plantation to which ſuch Houſe ſhall belong, unleſs by the Permiſſion from the Commiſſioners aforeſaid, or two of them, firſt had and obtained; ſuch Perſon or Perſons, upon Proof thereof made before the Commander in chief of this Iſland for the Time being, ſhall be by him committed to the common Gaol of this Iſland, there to remain without Bail or Mainprize for the Space of one Year.

Clauſe of Indemnity, for Things done before making this Act.

XXIV. And foraſmuch as the Honourable Lieutenant-general *William Mathew*, hath been deſired by the Council and Aſſembly of this Iſland to uſe ſuch Means as he ſhould think fit, before any Act could for that Purpoſe be made, to prevent the ſpreading of the Small-pox in this Iſland: It is hereby further enacted by the Authority aforeſaid, That the ſaid *William Mathew*, his Heirs, Executors, and Adminiſtrators, or any other Perſon acting by his Order therein, and every of them, ſhall be, and are hereby ſaved harmleſs and indemnified, for any thing which he or they ſhall have done for the Purpoſes aforeſaid.

Suſpected Goods to be burned, and Treaſurer to pay the Value.

XXV. And that the Commander in chief of this Iſland for the Time being, where he hath any Cauſe to ſuſpect Danger from any Goods ſuppoſed to be infected, ſhall and may order the ſaid Goods to be burned; and to order the Treaſurer of this Iſland for the Time being (who is hereby authorized and impowered ſo to do) to pay for the ſame whatſoever ſuch Goods ſhall be valued at.

Perſons ſued, may plead the Act.

XXVI. And be it further enacted by the Authority aforeſaid, That where any Perſon or Perſons ſhall be ſued, impleaded, or proſecuted for Performance of any Duty enjoined them by this Act; the ſaid Perſon or Perſons ſhall be permitted by any Judge, Juſtice, or Magiſtrate within this Iſland, to plead this Act in bar of any ſuch Action or Suit; the ſaid Judge, Juſtice, or Magiſtrate is hereby required to admit ſuch Plea, and thereon to diſcharge the Perſon impleaded or proſecuted, as aforeſaid.

An

1722.

An Act for the Relief and Releaſe of John Sedgwick, *and others, poor diſtreſſed Priſoners for Debt in the Iſland of St.* Chriſtopher's. N° 55. Private.

An Act for the continuing and carrying on the Works of the Fortifications of Brimſtone-hill *and* Charles *Fort, and other the Fortifications of this Iſland, for one Year longer; and alſo for continuing Part of a certain Act of this Iſland,* intituled, *An Act for employing Negroes on the Fortifications of this Iſland; and for rendering more effectual, and explaining an Act for raiſing a Tax by the Poll on all Slaves in this Iſland; and alſo for raiſing Five hundred Pounds upon the Inland Trade of the ſame, for the Time in this preſent Act mentioned.* 1723. N° 56. Expired.

An Act to prevent the caſting or unlading any Ballaſt or Rubbiſh in the Havens, Roads, or Creeks of this Iſland. N° 57.

BE it enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Captain-general, and Governor in chief of all His Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher's*, and by the Authority thereof, That no Maſter or Maſters, Commander or Commanders, or other Perſon having the Charge of any Ship, Veſſel, or Boat whatſoever, or any other Perſon or Perſons, do, from and after the Date of this Act, caſt or unlade out of any Ship, Veſſel, or Boat, being within any Port, Haven, Road, or Creek of this Iſland, any manner of Stones, Ballaſt, Rubbiſh, Gravel, or Filth, but only upon the Land above the full Sea Mark; upon pain, that every Perſon and Perſons ſo offending againſt this Act, ſhall forfeit and pay for every time he or they ſhall ſo offend, the Sum of Twenty Pounds current Money of this Iſland; the one Moiety thereof to His ſaid Majeſty, His Heirs and Succeſſors; to be paid into the Hands of the Treaſurer of this Iſland for the Time being, and to be employed for and towards the maintaining and keeping in Repair

Penalty on Perſons caſting Ballaſt into the Sea.

1723.

the Fortifications and Garriſons thereof; and the other Moiety to ſuch Perſon or Perſons as ſhall inform againſt any one offending againſt this Act.

Penalty how to be levied.

II. And be it further enacted by the Authority aforeſaid, That upon Proof made before any of His Majeſty's Council of this Iſland, or any Judge of the Court of King's-bench and Common-pleas thereof, by the Oath of one credible Witneſs, or Confeſſion of the Party or Parties offending againſt this Act, of the caſting or unlading of any Stones, Ballaſt, Rubbiſh, Gravel, or Filth in any Port, Haven, Road, or Creek of this Iſland, otherwiſe than as before in this Act is directed; the ſaid Counſellor or Judge ſhall, by Warrant under his Hand and Seal, command the Provoſt-marſhal of this Iſland for the Time being, or his lawful Deputy, to levy of the Goods and Chattels of the Perſon and Perſons ſo offending, the ſaid Sum of Twenty Pounds: And if ſuch Offender or Offenders ſhall have no Goods and Chattels, whereupon or whereof to levy the ſaid Penalties; then ſuch Offender and Offenders ſhall, by Warrant under the Hand and Seal of the Counſellor, or Judge before whom ſuch Proof or Confeſſion ſhall be made, as aforeſaid, be committed to the common Gaol of this Iſland, there to remain until ſuch Time as ſuch Offender and Offenders ſhall have paid and diſcharged the Penalties ſo by him or them incurred by virtue of this Act.

No 58. *An Act to prevent the Abuſes committed in the Importation of Wheat Flour, and bottled Liquors into the Iſland of St.* Chriſtopher's.

WHEREAS very great Abuſes have conſtantly been committed in the Importation of Wheat Flour, and bottled Liquors into the ſaid Iſland of St. *Chriſtopher*'s; which Miſchief is likely to increaſe, by People's ſtill leſſening their Caſk and Bottles which contain the Flour and Liquors, unleſs ſome Remedy be applied to prevent the ſame: Be it therefore enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Captain-general, and Governor in chief of all His Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*'s, and by the Authority thereof, That no Perſon or Perſons whatſoever ſhall, after the Date of this Act, vend, utter, ſell, or buy in the ſaid Iſland any Flour uſed in the making of Bread, otherwiſe than by Weight: And if any Perſon or Perſons ſhall preſume to ſell any ſuch Flour by the Barrel, or by the Caſk, or otherwiſe than by Weight; all the Flour ſo ſold ſhall be forfeited and loſt; and as well the Party and Parties ſelling, as the Perſon and Perſons buying ſuch Flour otherwiſe than by Weight, ſhall each and every of them forfeit and pay the Sum of Three hundred Pounds current Money, for every Barrel or Caſk of ſuch Flour, as ſhall be ſold or bought contrary to the Directions of this Act.

Flour to be ſold only by Weight, on Penalty of 300 *l.*

II. And be it further enacted by the Authority aforeſaid, That all Beer, Ale, Cyder, and Mum, and all *Canary* and *Rheniſh* Wines, and all other Wines

and

and Strong-liquors whatſoever, which from and after the twentieth Day of *January* next ſhall be imported into this Iſland in Bottles, ſhall be in Manner following; that is to ſay, All Wine and Mum in full Quart or Pint Bottles, according to Wine Meaſure; and all other of the ſaid Liquors in full Quart or Pint Bottles, according to the Meaſure commonly called *Wincheſter* Meaſure; and all and every of the aforeſaid Liquors, which after the Time aforeſaid ſhall be imported into this Iſland in any Bottles other than the aforeſaid Meaſure, ſhall be forfeited and loſt: And if any Perſon or Perſons ſhall, after the Time aforeſaid, import into this Iſland, or therein vend, utter, or ſell any of the aforeſaid Liquors in any other Bottles leſs than of the Meaſure aforeſaid, he or they ſhall forfeit for every Bottle which he or they ſhall ſo import or ſell, Eighteen Pence for every Quart, and Nine Pence for every Pint Bottle, current Money of the ſaid Iſland; the one Moiety of all which ſaid Forfeitures and Penalties in this Act beforementioned, ſhall be to the Uſe of the Poor of the Pariſh or Place where ſuch Offence ſhall be committed; and the other Moiety thereof to the Informer. 1723. Bottled Liquors how to be imported.

III. And be it further enacted by the Authority aforeſaid, That where any Perſon or Perſons ſhall be convicted of having offended againſt this Act in any of the Matters aforeſaid, by the Oath of one ſufficient Witneſs before any Juſtice of the Peace of this Iſland (who by virtue of this Act ſhall have Power to adminiſter an Oath in that Behalf) the ſaid Juſtice ſhall, by Warrant under his Hand and Seal, cauſe the Conſtable or Conſtables of the Pariſh or Place where any of the aforeſaid Offences ſhall be committed, to levy of the Goods and Chattels of ſuch Offender or Offenders the ſeveral Penalties and Forfeitures which ſuch Perſon or Perſons ſhall incur or become liable unto by virtue of this Act, by way of Diſtreſs and Sale of the ſaid Offender's ſaid Goods and Chattels; rendering the Overplus, if any ſhall be, to the Party or Parties ſo offending: And the ſaid Juſtice of the Peace to whom ſuch Information ſhall be given, and before whom Proof ſhall be made of any ſuch Flour being ſold or bought, or of any of the aforeſaid Liquors being imported or ſold contrary to the true Intent and Meaning of this Act; ſhall, by Warrant under his Hand and Seal, cauſe ſuch Flour and Liquors, and every of them, to be ſeized by the Conſtable or Conſtables of the Pariſh or Place where the ſame ſhall be: And the ſaid Conſtables, and every of them, are, and is hereby impowered and authorized, having a Warrant for that Purpoſe, by Day-light to enter any Houſe, Ware-houſe, Shop, or Place where they or he ſhall ſuſpect, or be informed ſuch Goods ſhall or may be concealed; and the ſaid Goods being found, to ſeize and carry away; and the ſame Goods, and every of them, to ſell at publick Sale or Outcry to the beſt Bidder, within twenty four Hours after ſuch Seizures ſhall be made. Penalties how to be levied,

IV. And be it further enacted by the Authority aforeſaid, That the Money ariſing by ſuch Sale, and all other the Forfeitures and Penalties ariſing by this Act, ſhall, by the aforeſaid Juſtice by whom ſuch Warrant or Warrants ſhall be granted, be diſtributed according to the aforeſaid Directions of this Act, all reaſonable Charges of Seizure and Sale, and other Charges and Expences incident thereunto, being firſt deducted and paid out of each Forfeiture and Penalty. and diſpoſed of.

V. And be it further enacted by the Authority aforeſaid, That no Juſtice or Juſtices of the Peace, Conſtable, or other Perſon or Perſons authorized by this Act for the due Execution thereof in any Point, ſhall be ſued, impleaded, or otherwiſe impeached for doing or executing their ſaid Offices reſpectively: And if any Suit or Suits hereafter ſhall be commenced againſt them, or any of them, or any of their Aſſiſtants, touching or concerning the Premiſſes; that then it ſhall be lawful for them, and every or any of them ſo ſued or troubled in any Court whatſoever, to plead the general Iſſue, and to give this Act, or any other ſpecial Matter in Evidence: And in caſe, by or upon this Perſons ſued, may plead the general Iſſue.

Act,

1723. Act, they, or any of them ſhall be found not guilty, or the Plaintiff or Plaintiffs be nonſuited, the Defendant or Defendants ſhall recover treble Coſts againſt the Plaintiff or Plaintiffs for his or their unjuſt Vexation.

1724. N° 59. *An Act for the eſtabliſhing a Court of King's-bench and Common-pleas, and for the better Advancement of Juſtice in the Iſland of St.* Chriſtopher's; *and for ſettling certain Fees; and repealing a former Act of the ſaid Iſland,* intituled, *An Act for eſtabliſhing of Courts, and ſettling due Methods for the Adminiſtration of Juſtice.*

FORASMUCH as nothing can tend more to the Encouragement of Trade, or more effectually promote the Reputation and Proſperity of the ſaid Iſland, than the eſtabliſhing of Courts, wherein Juſtice may be frequently and duly adminiſtred; and for that a former Act, made at the Town of the *Old Road* of the ſaid Iſland the twenty fourth Day of *November*, in the tenth Year of the Reign of Her late Majeſty Queen *Anne*, intituled, *An Act for eſtabliſhing of Courts, and ſettling due Methods for the Adminiſtration of Juſtice*; has been found defective for that End in ſeveral Particulars: For remedying whereof, and for the eaſier, ſpeedier, and better Advancement of Juſtice, and the reforming and reglulating the Practice of the Law as much as may be in the ſaid Iſland; we, His Majeſty's moſt dutiful and loyal Subjects, the Governor in chief of all His Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*'s, do moſt humbly pray His Moſt Excellent Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the ſaid Governor in chief, and the ſaid Council and Aſſembly, and by the Authority thereof, That in the ſaid Iſland of St. *Chriſtopher*'s ſhall hereafter be held a Court of King's-bench and Common-pleas, which ſhall conſiſt of a Chief Juſtice, and four other Juſtices Aſſiſtants, to be from Time to Time appointed by the Governor, or Commander in chief of the ſaid Leeward Carribbee Iſlands in *America*; which Juſtices ſhall be, and they are hereby authorized to hear, try, and determine in the ſaid Court, according to the Laws and Uſage of the Realm of *Great Britain*, and the Laws and Uſage of the ſaid Iſland, as well all Actions, Suits, and Proſecutions at Law as are now depending in the preſent Court of King's-bench and Common-pleas of the ſaid Iſland, as thoſe which hereafter ſhall be commenced or brought in the Court to be eſtabliſhed by this Act.

A Court of King's-bench and Common-pleas to be held by a Chief Juſtice and 4 Aſſiſtants.

II. AND be it further enacted by the Authority aforeſaid, That the ſaid Juſtices ſhall, before they enter upon the Execution of their ſaid Offices, reſpectively take the Oaths of Allegiance, Supremacy, and Abjuration, and make and ſubſcribe the Declaration mentioned in an Act of Parliament made in the thirtieth Year of the Reign of the late King *Charles* the Second, together with the following Oath; *viz.*

Juſtices to take the Oaths.

I *A. B.*

1724.

I A. B. *do ſwear upon the Holy Evangeliſts, That I will not delay nor deny Juſtice to any Perſon; but with my utmoſt Diligence will execute and perform the Office of Chief Juſtice, or Juſtice Aſſiſtant; and to the beſt of my Skill will give Judgement in all Matters by me to be determined, without Prejudice, Intereſt, or Affection.* Juſtice's Oath.

So help me God.

Which Oaths ſhall be adminiſtred to the Chief Juſtice in His Majeſty's Council of this Iſland, and to all or any of the Juſtices Aſſiſtants, either in Council, or by the Chief Juſtice in the ſaid Court.

III. AND it is hereby declared and enacted, That they the ſaid Juſtices, after having ſo qualified themſelves, as aforeſaid, ſhall have as full and ample Power, Authority, and Juriſdiction in all Things within the ſaid Iſland, as the Judges of His ſaid Majeſty's Courts of King's-bench and Common-pleas at *Weſtminſter* have, or can reſpectively have or exerciſe within the ſaid Realm of *Great Britain*; ſubject nevertheleſs to ſuch Juriſdiction, Power, and Authority, as His ſaid Majeſty's ſaid Court of King's-bench at *Weſtminſter* hath uſually had and exerciſed over all other Courts of Law or Juſtice within His ſaid Majeſty's Kingdoms and Dominions, and the Proceedings and Judgements thereof. Juſtices to have the ſame Authority as thoſe in *Great Britain*.

IV. AND be it hereby further enacted by the Authority aforeſaid, That the ſaid Court ſhall for the future be held at the ſaid Town of the *Old Road* in the ſaid Iſland, on the ſecond *Tueſdays* of the Months of *March*, *April*, *May*, *June*, *July*, and *Auguſt* in every Year; and ſhall and may be continued or adjourned by the ſaid Juſtices, or of any two of them at their Diſcretions, ſo as ſuch Adjournment be not made for any longer Time than fourteen Days from the Time of ſuch Adjournment. Places and Times of holding the ſaid Courts,

V. AND be it hereby further enacted by the Authority aforeſaid, That any two Juſtices of the ſaid Court may hear and try all general Iſſues; but that no Judgement ſhall be given on any Special Plea, Demurrer, or Special Verdict, or on any General Verdict, where any Motion ſhall be made in Arreſt of Judgement, or other Matter of Law ſhall ariſe, but in the Preſence of three of the ſaid Juſtices at the leaſt; and any Judgement otherwiſe given, ſhall be, *ipſo facto*, void. General Iſſues may be tried by two Juſtices, &c.

VI. AND be it hereby further enacted, That all Actions to be brought or commenced in the ſaid Court, ſhall be entred, and Declarations thereupon filed in the Secretary's Office twelve Days at the leaſt before the Sitting of each Court; and that Copies of all Declarations, and alſo all Writs of Summons, ſhall be ſerved on the Parties Defendants ſix Days excluſive of the Court-day; which ſaid Writs of Summons ſhall be after the Manner following; *viz.* Actions to be entred 12 Days before the Court, &c.

St. Chriſtopher's. Form of a Writ of Summons.

GEORGE, by the Grace of God, of Great Britain, France, *and* Ireland *King, Defender of the Faith,* &c. *To the Provoſt-marſhal of Our ſaid Iſland, or his lawful Deputy, greeting.*

WE command you to ſummon A. B. *to be and appear at Our next Court of King's-bench and Common-pleas, to be held for this Iſland the Day of at the Town of* Old Road, *then and there to anſwer* C. D. *in an Action of Hereof let him not fail, at his Peril. Witneſs* E. F. *Our Chief Juſtice of Our ſaid Court, the Day of in the Year of Our Reign.*

1724. And in case any Defendant or Defendants, in any Action or Actions which shall be brought or commenced against him or them, shall secrete and conceal him or themselves, so as the Provost-marshal, or his Deputy, or other Person summoning cannot find such Defendant or Defendants; or if such Defendant or Defendants shall, at the Time of the bringing or commencing of any Action or Suit against him or them, happen to be absent from the said Island; then, in either of the said Cases, one Summons, and a Copy of the Declaration being left at the last usual Place of Abode, or upon the Freehold of such Defendant or Defendants, and another Summons nailed up at the Court-house-door, shall be deemed and taken as good and effectual, as a personal Service and Delivery of such Summons and Declaration upon or to such Defendant or Defendants.

Summons how to be deemed effectual, in case the Defendant conceal himself, or be absent from the Island.

VII. And be it further enacted by the Authority aforesaid, That all and singular the Goods and Effects of Persons absent from the said Island, against whom Actions shall be brought or commenced in the said Court, in whose Hands soever such Goods or Effects shall be found in the aforesaid Island; shall, upon the Request of the Plaintiff or Plaintiffs in such Action, be by Writ attached by, and taken into the Hands of the Provost-marshal, or his lawful Deputy, as a Pledge or Surety to answer the just Demands of such Plaintiff or Plaintiffs, until the Trial of such Action or Actions, and that Judgement or Judgements shall be given therein.

Effects of Persons absent, liable to be attached.

Proviso. VIII. Provided nevertheless, That if any Person or Persons acting as an Agent or Agents for such absent Person or Persons, shall give unto the Provost-marshal, or his Deputy, sufficient Surety to deliver the said Goods or Effects back again to the said Marshal, or his Deputy, to answer the Judgement or Judgements to be obtained by such Plaintiff or Plaintiffs; then the said Marshal, or his Deputy, shall deliver such Goods and Effects so attached unto the Person or Persons so giving him such Security, to be by him or them kept for and during the Time aforesaid.

Proviso. IX. Provided likewise, and it is hereby further enacted, That before any such Writ shall be granted to attach any Goods or Chattels whatsoever, the Plaintiff or Plaintiffs in such Action or Suit shall give unto the Judge who shall award such Writ, sufficient Security (and which shall be taken in the Name of such Defendant) to make good unto such Defendant all and singular the Damages and Costs which he shall sustain, or be put unto by Reason or Means of such Attachment, or of the Action to be brought or commenced against such Defendant, whereon the same shall be grounded, in case Judgement shall be given against the Plaintiff or Plaintiffs, or that the Plaintiff or Plaintiffs be nonsuited, or that such Action be discontinued; or in case the Defendant, whose Goods or Chattels shall be so attached, his Executors or Administrators do, within twelve Months next after Judgement shall be given against him, by Writ of Error, or otherwise, reverse or set aside such Judgement, or prove to the Satisfaction of the Court, that he owes the Plaintiff or Plaintiffs nothing at the Time of granting such Attachment.

Actions to be tried the second Court after commencing. X. And be it further enacted by the Authority aforesaid, That all Trials of Actions or Suits in the said Court, shall be at the second Court next after the bringing or commencing of such Actions or Suits; and that Judgement shall then immediately be given upon every Verdict found in the said Court, unless the Party, against whom such Judgement is to be given, shall at the same Court shew sufficient Cause to arrest or stay the same: And if any Defendant or Defendants shall make Default at the second Court in any Action for Debt, or Contract made, or Duty arising, or for Goods, or other Things sold, or for Promise made; the Court shall take the Evidence, and Judgement shall be given against him thereupon, as by Default; but if the Defendant be absent from the said Island, then no Execution to issue till the Court following; in which Time the Defendant may come, and alledge

Payment

Payment of the Debt, Duty, or Demand, or that he was ſurprized; and if the Judges find the Allegations true, they may reverſe the ſaid Judgement, and admit the Defendant to plead; and, at his own Coſts and Charges, try the Iſſue by a Jury; but if ſuch Allegations appear not true, then Execution is to iſſue immediately: And that in all Judgements by Default, upon the Plaintiff's proving his Cauſe of Action to the Court by lawful Evidence, the Court ſhall adjuſt the Debt and Damages; which ſhall be as effectual, as if a Writ of Enquiry had been executed thereon: Provided, That if ſuch Defendant be a Minor, *Non compos mentis*, or abſent from this Government; ſuch Perſons, after their ſaid reſpective Diſabilities removed, may, by themſelves or their Attornies, have their ſeveral Remedies for what they wrongfully loſt by the ſaid Judgement; any Law or Cuſtom to the contrary notwithſtanding. 1724.

XI. AND be it hereby likewiſe enacted, That Special Pleas and Demurrers to Actions, Writs, or Declarations, ſhall be filed, and Copies delivered to the other Side fourteen Days before the ſecond Court-day, otherwiſe the Defendant ſhall be obliged to plead the general Iſſue; and the Plaintiff ſhall file and deliver, as above, his Demurrer or Replication, or other Matter by him to be pleaded, eight Days before the Court-day; otherwiſe the Defendant ſhall have Day till the third Court: And that upon a Joinder in Demurrer, the Juſtices ſhall appoint a Day, not exceeding fourteen Days, to hear it argued; and upon reaſonable Cauſe, may adjourn any Plea to the next Court, but no longer. Special Pleas and Demurrers, when to be filed.

XII. AND be it further enacted by the Authority aforeſaid, That all Declarations and Pleadings, and alſo all Verdicts found, and all Judgements given in Court (the ſame Verdicts and Judgements being firſt recorded in the Court Book) ſhall, in exact and due Order, be fairly entred, in Words at length, in a good bound Book, to be by the Secretary for that Purpoſe provided, and to be kept in his Office in the Nature of Records; for which the ſaid Secretary ſhall be paid by the Party obtaining Judgement, who is to be allowed the ſame in his Coſts: And if the Secretary ſhall neglect the providing ſuch a Book, or ſhall not make ſuch due and regular Entries of all the Pleadings in each Action brought and commenced in the ſaid Court, in Manner aforeſaid, he ſhall forfeit the Sum of Ten Pounds current Money for every Default. All Declarations, &c. to be recorded in the Secretary's Office.

XIII. AND be it further enacted, That immediately after all Judgements (except thoſe againſt abſent Perſons, by Default, as aforeſaid) the Chief Juſtice, or, in his Abſence or Sickneſs, the next ſenior Juſtice, and after him, the next Juſtice, and ſo to all in Commiſſion ſucceſſively, ſhall, at the Requeſt of the Party obtaining Judgement, ſign and ſeal a Writ of Execution of ſuch Judgement; which ſaid Execution is to be after the Manner following; *viz.* Chief Juſtice to ſign a Writ of Execution.

St. Chriſtopher's, ſſ. Form of ſuch Writ.

GEORGE, by the Grace of God, of Great Britain, France, *and* Ireland *King, Defender of the Faith,* &c. *To the Provoſt-marſhal of Our Iſland aforeſaid, or his lawful Deputy, greeting.*

WHEREAS, at Our Court of King's-bench and Common-pleas, held at the Town of Old Road *of the aforeſaid Iſland, Judgement was obtained againſt at the Suit of for Theſe are therefore to command you to levy of the Goods and Chattels, Lands and Tenements of the ſaid ſufficient to ſatisfy the ſaid Debt; and the Sum of*

for

1724. *for Coſts of Suit; that is to ſay, Firſt on Tobacco, Cotton, Ginger, Indigo, Sugar, or any other Goods or Merchandize of the Growth and Manufacture of this Iſland, or other Merchandizes; and for want of ſuch Goods and Chattels, to levy the ſaid Debt and Coſts upon the Houſhold Goods and Furniture of the ſaid 's Houſe; and for want of ſuch, to levy the ſaid Debt and Coſts upon the Cattle, Horſes, Aſſes, Mules, and other Plantation Utenſils of the ſaid ; and for want of ſuch, you are to levy the ſame on the ſaid 's Slaves; and for want of ſuch Slaves, you are to levy the ſame upon the ſaid 's Lands and Tenements: All which Levies, and the Sales thereof, you ſhall make by publick Sale or Outcry, according to the Tenor of an Act of the ſaid Iſland in that Behalf made and provided; and finding no ſuch Goods and Chattels, Lands, or Tenements, then you are hereby commanded to take the Body of the ſaid and him in ſafe Cuſtody to keep, until the ſaid Debt and Coſts ſhall be ſatisfied: And have you this Writ duly executed before Our Juſtices, at Our Court of King's-bench and Common-pleas, to be held for this Iſland at the Town of* Old Road *aforeſaid, on the Day of now next coming.*

Witneſs Chief Juſtice of Our ſaid Court, this Day of in the Year of Our Reign.

Penalty on Provoſt-marſhal's Default.

XIV. AND be it further enacted by the Authority aforeſaid, That the ſaid Provoſt-marſhal, or his Deputy, and all other Perſons levying Executions, ſhall levy the ſame according to the Directions of ſuch Execution, under the Penalty of Fifty Pounds for each Neglect or Default therein: But yet, if after the levying of Execution, the Defendant ſhall give unto the Provoſt-marſhal, or his Deputy, ſufficient Security in double the Value of the Goods or Things taken, to ſee the ſame forth coming at the Day of Sale thereof; then the Provoſt-marſhal, or his Deputy, ſhall deliver unto ſuch Defendant the Goods and Things ſo taken in Execution, to be by him kept during that Time; within which Time ſuch Defendant may pay and diſcharge the Debt, with Coſts: But if he doth not, then the Provoſt-marſhal, or his Deputy, upon the Plaintiff's delivering unto him a Writ of *Venditioni exponas*, ſhall cauſe the Goods and Things ſo taken in Execution, to be publickly ſold at the Town next adjoining to the Place where Execution is levied; which ſaid Sales ſhall always be by Day-light, and in the Preſence of ſix credible Witneſſes at the leaſt: After which Sale, the ſaid Provoſt-marſhal, or his Deputy, ſhall immediately pay unto the Plaintiff his Debt and Coſts; and after deducting all Charges attending ſuch Sale, ſhall return the Overplus, if any ſhall be, to the Defendant; but if the Things ſo levied on ſhall not amount to the Value of ſuch Debt and Coſts, then the Marſhal, or his Deputy, ſhall further levy of the Goods, Chattels, Lands, and Tenements of ſuch Defendant, ſufficient to pay the ſaid Debt, with Coſts.

Proviſo.

XV. PROVIDED always, and it is hereby further declared and enacted by the Authority aforeſaid, That the Provoſt-marſhal, or his Deputy, and all and every other Perſon and Perſons making Sales of any Lands, Tenements, Goods, or Chattels taken in Execution by virtue of this Act, ſhall be, and they, and every of them are and is hereby obliged to accept, receive, and take from any Purchaſer or Purchaſers thereof, or of any Part thereof, in Payment and Satisfaction for the ſame, Sugars, Cotton, Indigo, and Moloſſes, paid and delivered him or them down upon ſuch Sale by ſuch Purchaſer or Purchaſers, at or in any Town of the ſaid Iſland, at the current Prices the ſame Commodities ſhall at that Time reſpectively bear in the ſaid Iſland; and that the Plaintiff or Plaintiffs in ſuch Execution, ſhall alſo accept, take, and receive of and from the ſaid Provoſt-marſhal, or his Deputy, or ſuch other Perſon or Perſons

Perſons ſelling ſuch Lands, Tenements, Goods, or Chattels, ſuch of the ſaid Commodities as he or they ſhall ſo receive upon ſuch Sale at the reſpective Towns, and at the ſeveral Prices the ſaid Commodities ſhall be paid to the Provoſt-marſhal, or his Deputy, or ſuch other Perſon or Perſons; ſo always, as the ſaid Commodities ſo to be paid unto ſuch Plaintiff or Plaintiffs, do not amount to more than his or their Debt, and Coſts of Suit. 1724.

XVI. And be it further enacted by the Authority aforeſaid, That if any Goods taken in Execution ſhall periſh before the Sale thereof (unleſs it be by the Default of the Provoſt-marſhal, or his Deputy, and in which caſe the Marſhal and his Deputy is to make the ſame good) the Loſs thereof ſhall be born by the Defendant, or Owner of the ſaid Goods; and in ſuch Caſe the Provoſt-marſhal, or his Deputy, ſhall and may further take of the Goods and Chattels, Lands and Tenements of the ſaid Defendant, ſufficient to anſwer the Debt, and Coſts. Goods damaged before Sale, Owner to make good the Loſs.

XVII. And be it further enacted by the Authority aforeſaid, That if any Defendant, giving Security for the forth coming of any Goods or Things taken in Execution, at the Day of Sale thereof ſhall conceal the ſame, or ſhall not deliver them to the Provoſt-marſhal, or his Deputy, on that very Day exactly (the Debt and Coſts not being in the mean time ſatisfied) then the ſaid Provoſt-marſhal, or his Deputy, ſhall and may, by Writ from the Chief Juſtice, or, in caſe of his Abſence or Diſability, from the next Juſtice in Commiſſion ſucceſſively, immediately take and diſpoſe, by Sale of the Goods, Chattels, Lands, and Tenements of ſuch Defendant's Sureties, ſufficient to anſwer the Debt, with all Coſts attending it; and if the Sureties ſhall have no Eſtates, whereof to levy the ſaid Debt and Coſts, then it ſhall and may be lawful to and for the ſaid Provoſt-marſhal, or his Deputy, to commit the ſaid Securities to the common Gaol of the ſaid Iſland, where they are to remain till they ſhall have ſatisfied the ſaid Debt and Coſts. Defendant concealing Goods taken in Execution, Security's Effects liable.

XVIII. And be it further enacted by the Authority aforeſaid, That a Bill of Sale, under the Hand and Seal of the Provoſt-marſhal, or his Deputy, of any Goods and Chattels taken in Execution, and which ſhall be ſold and delivered over, ſhall give to the Plaintiff, or other Buyer or Purchaſer thereof, a good, ſure, and indefeaſible Right and Title thereunto: And likewiſe, that ſuch Bill of Sale, of or for any Lands, Tenements, or Hereditaments ſo taken, and ſold or appraiſed, ſhall give unto the Plaintiff, or other Buyer thereof, as good and ſufficient an Eſtate and Title therein and thereunto, as the Defendant from whom they are taken, hath, or can or may have of, in, or to the ſame Lands, Tenements, or Hereditaments: And if the Provoſt-marſhal, or his Deputy, ſhall refuſe to execute to any Plaintiff or Purchaſer a ſufficient Bill of Sale, of and for the Land or Things which ſhall be ſo delivered over or bought, he ſhall forfeit the Sum of Fifty Pounds current Money for every Default. Bill of Sale a ſufficient Title to the Purchaſer, &c.

XIX. And be it further enacted by the Authority aforeſaid, That when any Goods, Chattels, Lands, or Tenements ſhall be taken in Execution upon any Judgement obtained in the ſaid Court; the Provoſt-marſhal, or his Deputy, ſhall immediately put up a Publication in the next adjacent Town, for the Sale thereof, at the Times, and in Manner hereafter mentioned; that is to ſay, For Lands, Tenements, and Hereditaments, at the End of eighty Days; for Negroes, and all other Slaves, at the End of eight and twenty Days; for Cattle, Chattels, Plantation Implements, and all other Goods whatſoever, at the End of ten Days after the ſame Lands, Tenements, Slaves, Goods, Chattels, and Things ſhall reſpectively be taken in Execution; and that all and every the Expences attending ſuch Sales, ſhall be born by the Defendants, or other Perſons whoſe Goods or Chattels, Lands or Tenements, ſhall be ſo taken in Execution. Publication to be made for Sale of Effects taken in Execution.

1724.

Proviſo.

XX. PROVIDED always, and it is hereby enacted, That no Execution for any Debt or Damages ſhall be awarded or executed between the laſt Day of the Month of *Auguſt*, and the firſt Day of the Month of *March* in each reſpective Year: Provided nevertheleſs, That Writs of *Habere facias Poſſeſſionem* of Lands and Tenements, and alſo Writs of Poſſeſſion of Negroes, Cattle, or Chattels recovered in Actions of Detinue and Replevin, ſhall and may be awarded and executed at all Times in the Year.

Jurors to be ſummoned for each Court.

XXI. AND be it further enacted by the Authority aforeſaid, That eight Days before each Court, a *Venire facias*, ſigned by the Chief Juſtice, and in caſe of his Abſence or Diſability, by the next Judge in the Commiſſion ſucceſſively, ſhall be iſſued, to ſummon a Jury of good and ſufficient Men of the ſaid Iſland, to appear and ſerve as Jurors at the then next Court; *viz.* Such as do or ſhall reſide to the *Eaſtward* of the *Gutt*, commonly called or known by the Name of *Nichola Town Gutt*, on the Windward Side of the ſaid Iſland; and to the *Eaſtward*, with the *Weſtermoſt* River of the Town of the *Old Road*, on the Leeward Side, ſhall be obliged to appear one Court; and ſuch as do or ſhall reſide to the *Weſtward* of the ſaid *Nichola Town Gutt*, and *Weſtermoſt* River of the Town of the *Old Road*, at the other Court, beginning with the *Eaſtward* Diſtrict in and ſo keeping their Turns alternately throughout the Year, under the Penalty of this Act.

Who to be Jurors, &c.

XXII. AND whereas great Delays have frequently happened in Trials, for want of a ſufficient Number of Freeholders; be it enacted by the Authority aforeſaid, That all Perſons reſiding in the ſaid Iſland, ſeized of any Eſtate in Fee, or of any Freehold of the yearly Value of ten Pounds current Money, or poſſeſſed of any Perſonal Eſtate of the Value of one hundred Pounds current Money aforeſaid, ſhall and may be of Jurors, to try an Iſſue real or perſonal; and alſo, that every Perſon ſummoned as a Juror, and not appearing, ſhall forfeit and pay Five Pounds current Money; and likewiſe, that if any Juror depart after he is ſworn before Verdict delivered, he ſhall forfeit and pay Ten Pounds current Money, and ſuffer five Months Impriſonment, and another ſhall be ſworn in his room; and that every Juror before Verdict delivered, ſhall receive of the Marſhal one Shilling and ſix Pence.

Standers by to make up the Deficiency of Jurors, &c.

XXIII. AND be it further enacted by the Authority aforeſaid, That if a ſufficient Number of the Perſons ſummoned to be Jurors, do not appear to make a full Jury, then a Tale of the Standers by ſhall be returned by the Marſhal, who ſhall ſerve, under Pain of Committment to the Gaol; and alſo, that Special Verdicts ſhall be found by the Jurors, where the Council on both Sides ſhall agree, and deſire to have the Facts found ſpecially, upon Pain of Fine or Impriſonment, at the Diſcretion of the Court.

Penalty on Witneſſes not appearing.

XXIV. AND be it further enacted by the Authority aforeſaid, That where any Perſon ſhall be ſummoned by Writ of *Subpæna*, to give Evidence in any Matter depending in the ſaid Court, and ſhall make Default therein (not being hindered by Sickneſs or old Age) ſuch Perſon ſhall forfeit Fifty Pounds current Money; the one half to the Party for whom he was to give Evidence, and the other Moiety to go towards defraying the incident Charges of the Court: And an Affidavit made of the Service of the *Subpæna*, and that the Perſon ſummoned is a material Witneſs, the Court ſhall put off the Cauſe, if the Party deſire it, to the next Court, the ſaid Party paying the Coſts of the Day.

Depoſition of Perſons diſabled, or abſent, to be good Evidence, &c.

XXV. AND be it enacted by the Authority aforeſaid, That the Depoſitions of Perſons who are diſabled to attend the ſaid Court by old Age, Sickneſs, or being bound off the Iſland, ſhall be deemed good Evidence in all Civil Actions, provided they be taken by any Juſtice of the ſaid Court, and three Days Notice be given to the Perſon againſt whom ſuch Depoſitions are to be taken, or, in his Abſence, to his Attorney or Agent, if any ſuch be upon the Iſland, of the Name of the Witneſs to be examined, and of the Time and

Place

Place where ſuch Witneſs is to be examined; and alſo, that all Certificates under the Hand and Seal of the Mayor of *London*, or any Juſtice of either Bench, or the Mayor or Chief Magiſtrate of any City or Corporation within the Kingdoms of *Great Britain* and *Ireland*, and all and every other His Majeſty's Lands, Iſlands, and Dominions; and all Probates of Wills under the Seals of the proper Spiritual Courts, and proved before the Ordinary in any of His Majeſty's Colonies, ſhall be admitted, and given in Evidence in the ſaid Court. 1724.

Acts made perpetual.

XXVI. AND be it further enacted by the Authority aforeſaid, That all the Statutes of *Jeofails*, made within the Kingdom of *England* before the fourth and fifth Years of the Reign of Her ſaid late Majeſty Queen *Anne*; and alſo an Act of Parliament made in the ſeventeenth Year of the Reign of the ſaid late King *Charles* the Second, intituled, *An Act for avoiding unneceſſary Suits and Delays*; and likewiſe two other Acts, the one made in the twenty ſecond and twenty third Years of the Reign of the ſaid King *Charles* the Second, intituled, *An Act for the better ſettling of Inteſtates Eſtates*; and the other made in the firſt Year of the Reign of the late King *James* the Second, whereby the ſaid two laſt mentioned Acts are made perpetual; and one other Act made in the twenty ninth Year of the Reign of the ſaid King *Charles* the Second, intituled, *An Act for preventing of Frauds and Perjuries*, except where the ſame Act, or any Part thereof is altered, or it is otherwiſe provided for in and by this Act, ſhall, by virtue of this Act, be adjudged to extend to, and be in force in the ſaid Iſland for ever.

Judgement in any Action to be given as the Juſtice of the Cauſe ſhall require,

XXVII. AND be it further enacted by the Authority aforeſaid, That where any Demurrer ſhall be joined and entred in an Action or Suit in the ſaid Court, the Judges ſhall proceed and give Judgement according to the very Right of the Cauſe, and Matter in Law ſhall appear unto them, without regarding any Imperfection, Omiſſion, or Defect in any Summons, Return, Plaint, Declaration, or other pleading Proceſs, or Courſe of Proceeding whatſoever (except thoſe only which the Party demurring ſhall ſpecially and particularly ſet down and expreſs, together with his Demurrer, as Cauſes of the ſame) notwithſtanding that ſuch Imperfection, Omiſſion, or Defect ought hither to have been taken to be Matter of Subſtance, and not ended, by the Statute made in the twenty ſeventh Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the Furtherance of Juſtice in caſe of Demurrer and Pleadings*, ſo as ſufficient Matter appear in the ſaid Pleadings, upon which the Court may give Judgement according to the very Right of the Cauſe.

Limitation of the Statute of *Jeofails*.

XXVIII. AND be it further enacted by the Authority aforeſaid, That the ſaid Statute of *Jeofails* ſhall be extended to Judgements which hereafter ſhall be entred upon Confeſſion, *Nihil dicit*, and *Non ſum informatus* in the ſaid Court; and no ſuch Judgement ſhall be reverſed, nor any Judgement upon a Writ of Enquiry of Damages executed, be ſtaid or reverſed by Reaſon of any Imperfection, Omiſſion, Defect, Matter, or Thing whatſoever, which ſhould have been aided and cured by any of the ſaid Statutes of *Jeofails*, in caſe a Verdict of twelve Men had been given in the ſaid Action or Suit, ſo as there be an original Summons and Declaration.

Proviſo.

XXIX. PROVIDED always, and be it enacted by the Authority aforeſaid, That nothing in this Act before contained, ſhall extend to any Writ, Summons, Declaration, Indictment, or Suit of Appeal of Felony or Murder, or to any Proceſs upon any of them; or to any Writ, Summons, Bill, Action, or Information upon any Penal Statute.

Clauſe relating to Pleas.

XXX. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Defendant or Tenant in any Action or Suit, or for any Plaintiff in Replevin, with the Leave of the Court, to plead as many ſeveral Matters thereto, as he ſhall think neceſſary for his Defence; provided all ſuch Matters be entred in one Plea; and alſo, that where any Matter upon

Demurrer

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Demurrer joined ſhall be adjudged inſufficient, or where any Defendant or Tenant ſhall be acquitted by Verdict, or otherwiſe, Coſts ſhall be given in both Caſes, at the Diſcretion of the Court.

Bail for Perſons arreſted, may be aſſigned to the Plaintiff, &c.

XXXI. And be it further enacted by the Authority aforeſaid, That where any Perſon or Perſons ſhall be arreſted by Writ or Proceſs iſſuing out of this Court, at the Suit of any common Perſon, and the Provoſt-marſhal, or other legal Officer ſhall take Bail from ſuch Perſon, againſt whom ſuch Writ, Bill, or Proceſs ſhall be taken out; the Provoſt-marſhal, or ſuch other legal Officer, at the Requeſt and Coſt of the Plaintiff in ſuch Action or Suit, or of his lawful Attorney, ſhall aſſign to the Plaintiff in ſuch Action or Suit, ſuch Bail-bond, or other Security, by endorſing the ſame, and atteſting the ſame under his Hand and Seal, in the Preſence of one or more credible Perſons; and if the ſaid Bail-bond, or other Security taken for Bail be forfeited, the Plaintiff in ſuch Suit, after ſuch Aſſignment made, may bring an Action and Suit thereupon in his own Name in the ſaid Court; and the Court may, by a Rule, give ſuch Relief to the Plaintiff and Defendant in the original Action, and to the ſaid Bail upon the ſaid Bond, or other Security taken from ſuch Bail, as is agreeable to Juſtice and Reaſon; and that ſuch Rule or Rules of the ſaid Court, ſhall have the Nature and Effect of a Defeazance to ſuch Bail-bond, or other Security for Bail.

In what Caſe Court may order Lands, &c. to be viewed.

XXXII. And be it further enacted by the Authority aforeſaid, That upon Actions for trying of Titles to Meſſuages, Lands, Tenements, or Hereditaments, if it ſhall appear to the Court that it will be proper and neceſſary that the Jurors who are to try the Iſſues in any ſuch Actions ſhould have the View of the Meſſuages, Lands, Tenements, or Hereditaments, or Place in queſtion, in order to their better underſtanding the Evidence that will be given upon the Trials of ſuch Iſſues; in every ſuch Caſe, the Court may order ſpecial Writs of *Diſtringas*, or *Habeas corpora* to iſſue; by which the Provoſt-marſhal, or his lawful Deputy, or ſuch other Officer to whom the ſaid Writ ſhall be directed, ſhall be commanded to have ſix out of the firſt twelve of the Jurors named in each Writ, or ſome greater Number of them at the Place in queſtion, ſome convenient Time before the Trial; who then and there ſhall have the Matters in queſtion ſhewn to them by two Perſons in the ſaid Writ named, to be appointed by the Court; and the ſaid Provoſt-marſhal, or his lawful Deputy, or other Officer who is to execute the ſaid Writ, ſhall, by a ſpecial Return upon the ſame, certify that the View hath been had according to the Command of the ſaid Writ.

Payment may be pleaded in Bar of an Action of Debt, &c.

XXXIII. And be it further enacted by the Authority aforeſaid, That where any Action of Debt ſhall be brought upon any ſingle Bill, or where Action of Debt or *Scire facias* ſhall be brought upon any Judgement, if the Defendant hath paid the Money due upon the ſaid Bill or Judgement; ſuch Payment ſhall and may be pleaded in bar of ſuch Action or Suit: And where an Action of Debt is brought upon a Bond, which hath a Condition or Defeazance to make void the ſame, upon Payment of a leſſer Sum at a Day or Place certain; if the Obliger, his Heirs, Executors, or Adminiſtrators have, before the Action brought, paid the Obligee, his Executors, or Adminiſtrators, the Principal and Intereſt due by the Defeazance or Condition of ſuch Bond, though ſuch Payment was not made ſtrictly according to the Condition or Defeazance, yet it ſhall and may nevertheleſs be pleaded in bar of ſuch Action, and ſhall be as effectual a Bar thereof, as if the Money had been paid at the Day and Place according to the Condition or Defeazance, and had been ſo pleaded.

Intereſt upon Bonds.

XXXIV. And be it further enacted by the Authority aforeſaid, That all Intereſt upon Bonds to be ſued for here, where the Sum to be paid for Intereſt is not certainly expreſſed in the Bond, ſhall be reckoned and computed after the Rate of Eight Pounds *per Centum per Annum*, and no more: And if

at

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at any Time pending an Action upon any ſuch Bond, with a Penalty, the Defendant ſhall bring into Court all the Principal Money and Intereſt due on ſuch Bond, and all ſuch Coſts as have been expended in any Suit in Law or Equity upon ſuch Bond; the ſaid Money ſo to be brought in, ſhall be deemed and taken to be in full Satisfaction and Diſcharge of the ſaid Bond; and the Court ſhall andmay give Judgement to diſcharge every ſuch Defendant of and from the ſame accordingly.

Who to try and ſign Writs of Error, &c.

XXXV. AND be it further enacted by the Authority aforeſaid, That the Captain-general, or Governor in chief, with four or more of the Council, and in the Abſence of the Captain-general, or Governor in chief, the Lieutenant-governor, or Preſident of the Council, with the like Number of the Council, ſhall and may hear, try, and determine all Errors to be brought of any Judgements to be given in this Court, or which were given in the Courts held by virtue of any former Act for any Sum, Matter, Cauſe, or Thing; and that in the Abſence of the Captain-general, or Governor in chief, the Lieutenant-governor, or, in his Abſence, the Preſident of the Council, may ſign all Writs of Error, and other Proceſs thereupon; and that the not meeting of the Captain-general, or Governor in chief, Lieutenant-governor, or Preſident, at the Day of the Return of the Writ of Error, or Writ of *Scire facias*, to hear Errors, ſhall not diſcontinue any Writ of Error; and that no Judgement ſhall be given in the ſaid Court of Errors, unleſs by the ſaid Captain-general, and Governor in chief, or the Lieutenant-governor, or Preſident, and four of the Council at the leaſt, whereof none of the Judges of the ſaid Court of King's-bench and Common-pleas ſhall be one; and that before any Argument ſhall be heard by them, they ſhall take the following Oath; *viz.*

Their Oath.

I A. B. *do ſwear upon the Holy Evangeliſts, That in all Errors to be now brought before me, I will not deny or delay Juſtice to either Party; but ſhall, to the beſt of my Skill, give Judgement thereupon.*

So help me God.

And that no Execution of any Judgement given in this Court, or which was given in any former Court in any Action Perſonal, ſhall be ſtayed by Writ of Error, or a *Superſedeas* thereupon; unleſs ſuch Perſon or Perſons, in whoſe Name or Names ſuch Writ of Error ſhall be brought, by two ſufficient Securities (ſuch as the ſaid Court, or out of Court, as the Chief Juſtice, or, in his Abſence, as the next ſenior Juſtice, one after another, as they are named in the Commiſſion, ſhall allow of) ſhall, before ſuch Stay made, or *Superſedeas* awarded, be bound unto the Party for whom any ſuch Judgement is or ſhall be given, by Recognizance, to be acknowledged in double the Sum adjudged to be recovered by the ſaid former Judgement, to proſecute the ſaid Writ of Error with Effect, and alſo to ſatisfy and pay (if the ſame Judgement be affirmed) all and ſingular the Debts, Damages, and Coſts, adjudged or to be adjudged upon the former Judgement, and all Coſts and Damages to be alſo awarded for the ſame delaying of Execution: And further, That in Writs of Error to be brought upon any Judgement in any Writ of Dower, or in any Action of *Ejectione firmæ*, no Execution ſhall be thereupon or thereby ſtayed; unleſs the Plaintiff or Plaintiffs in ſuch Writ of Error ſhall be bound unto the Plaintiff in ſuch Writ of Dower, or Action of *Ejectione firmæ*, in ſuch reaſonable Sum as the Court ſhall think fit, with Condition, that if the Judgement ſhall be affirmed in the ſaid Writ of Error, or that the ſaid Writ of Error be diſcontinued by the Default of the Plaintiff or Plaintiffs therein, or that the ſaid Plaintiff or Plaintiffs be nonſuited in ſuch Writ or Writs of Error; that then the Plaintiff or Plaintiffs ſhall pay ſuch Coſts and Damages, Sum and Sums of Money, as ſhall be awarded upon or after ſuch Judgement affirmed, or Diſcontinuance, or Nonſuit had.

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Judgement to be given upon Return of a Writ of Enquiry.

XXXVI. And to the End that the Sum and Sums, and Damage may be aſcertained; be it enacted by the Authority aforeſaid, That the Court wherein ſuch Execution ought to be granted upon ſuch Affirmation, Diſcontinuance, or Nonſuit, ſhall iſſue a Writ to enquire as well of the meſne Profits, as of the Damage by any Waſte, committed after the firſt Judgement in Dower, or in *Ejectione firmæ*; and upon the Return thereof, Judgement ſhall be given, and Execution awarded for ſuch meſne Profits and Damages, and alſo Coſts of Suit.

Proviſo.

XXXVII. Provided, That this Act, or any thing therein contained, ſhall not extend to any Writ of Error to be brought by any Executor or Adminiſtrator, or to any Action popular, or to any Action which is or ſhall hereafter be brought upon any Penal Law or Statute, nor to any Indictment, Preſentment, Inquiſition, or Information in this Court.

Clauſe for preventing vexatious Suits on defective Writs of Error.

XXXVIII. And for preventing great Vexation from ſuing forth defective Writs of Error, be it further enacted by the Authority aforeſaid, That upon the quaſhing of any Writ of Error, hereafter to be ſued out for Variance from the original Record, or other Defect, or if the Plaintiff ſhall be nonſuit, or diſcontinue his Writ; the Defendant in ſuch Writ of Error ſhall recover againſt the Plaintiff iſſuing out ſuch Writ, his Coſts, as he ſhould have done if the Judgement had been affirmed, and to be recovered in the ſame Manner; but the Plaintiff in ſuch Writ is not barred from having a new Writ of Error: And in caſe either Party ſhall not reſt ſatisfied with the Judgement which ſhall be given upon a Writ of Error, he may appeal to His Majeſty in His Privy Council, if the Matter in diſpute ſhall come up to the Value limited in His Majeſty's Inſtructions to the Chief Governor, the Party appealing giving Security, as aforeſaid; but no Executor, or Adminiſtrator, or Guardian, ſhall be obliged to give Security on a Writ of Error, unleſs where required by the Laws of *England*, nor upon any Appeal, unleſs on an Appeal to His Majeſty in Council.

Writs of Error to be ſerved on Chief Juſtice, &c.

XXXIX. And be it further enacted by the Authority aforeſaid, That all Writs of Error ſhall be ſerved on the Chief Juſtice, and in caſe of his Death, Abſence, or Diſability, on the next ſenior Juſtice, and ſo to the next, as they are named in Commiſſion, as aforeſaid; who is required forthwith to cauſe a Tranſcript of the Record and Pleadings to be made out, and the ſame to certify under his Hand and Seal in eight Days after he is ſerved with the Writ of Error; and when the Records and Proceedings are ſo certified, the Plaintiff is to aſſign Errors under his Council's or Attorney's Hands, and to file the ſame in eight Days after the Writ and Proceedings are returned and certified, and then give Notice thereof unto the other Party, his Council, or Attorney; and the Defendant in Errors ſhall plead Demurr, or join in Errors within eight Days after Notice, or loſe the Advantage of his Defence.

In what Caſes Juſtices may give Judgement without a Jury.

XL. And be it further enacted by the Authority aforeſaid, That the ſaid Juſtices, or any of them, ſhall have Power to hear and determine in Court, without a Jury, all manner of Actions and Suits under the Value of ten Pounds current Money, or one thouſand Pounds of Sugar; and likewiſe all Caſes relating to Servants Wages, and Debts due to Artificers and Labourers, for Work done, not exceeding two thouſand Pounds of Sugar, or fifteen Pounds current Money; and in ſuch Actions there ſhall be no Declaration, only a Summons, and a Copy of the Account or Demand delivered to the Defendant ſix Days before the Court-day; and in ſuch Caſe the Oath of the Plaintiff ſhall (if the Judge thinks fit) be a ſufficient Evidence to prove the Debt or Demand.

Penalty on Misbehavior in Court.

XLI. And be it further enacted by the Authority aforeſaid, That all Contempts and Miſdemeanors, inſolent or rude Demeanor, unhandſom or provoking Language in the Hearing, or in the Preſence of the Court; and all Neglects, and other Offences of Coroners, Secretaries, Marſhals, Clerks,

or other Officers of the Court in their ſeveral Offices, ſhall be puniſhed by Fine, at the Diſcretion of the Court. 1724.

No Replevin but by Trover or Detinue to try the Title of Negroes, &c.

XLII. And be it hereby further enacted, That no Replevin ſhall hereafter iſſue to take or try the Title of Negroes or Slaves, but that the ſame ſhall be by Trover or Detinue: And alſo, that Executions to be awarded on Judgements already given in the Court of King's-bench and Common-pleas, which was held by virtue of any former Act of the ſaid Iſland, ſhall and may iſſue according to the Form herein preſcribed; and all Sales to be made of any Goods, Chattels, Lands, Tenements, or Hereditaments, taken or to be taken in Execution upon ſuch Judgements, ſhall be in Manner as before in this Act is directed; by which Method the Provoſt-marſhal, and all other Perſons are to be governed.

Scire facias to be ſerved in ſix Days before Court-day.

XLIII. And be it further enacted by the Authority aforeſaid, That all Writs of *Scire facias* to revive Judgements to be given in the ſaid Court, or which were given in any former Courts, ſhall be ſerved ſix Days before the Court-day on which the ſame ſhall be returnable, and the Service thereof to be in ſuch Manner as Writs of Summons are to be ſerved; and if the Defendant plead not thereto at the ſame Court, the Judgement ſhall ſtand, and be revived.

Clauſe relating to the Admiſſion of Attornies and Solicitors,

XLIV. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall for the future be admitted to the Bar of the ſaid Court, or to plead as Council there, before he hath produced a Certificate of his Admiſſion to the Bar at *Weſtminſter*, or a Certificate from the Attorney or Solicitor-general of the Leeward Iſlands, and one of the Practitioners already admitted, or hereafter to be admitted to plead as Council here, or of two ſuch Practitioners of the ſaid Court, as ſhall be for that Purpoſe appointed by any two of the ſaid Juſtices, upon Oath of his Skill and Ability in the Law, and that he is fit to be admitted to the Bar of the ſaid Court; and if any Perſon ſhall preſume to plead as Council in the ſaid Court, without ſuch Qualification and Admiſſion, he ſhall forfeit One hundred Pounds current Money; a Certificate whereof muſt be firſt filed in the Secretary's Office, before any Perſon ſhall be reckoned duly qualified and admitted; provided, that the ſaid Juſtices may admit any Perſons, who they ſhall think fitly qualified to practiſe as Attornies or Solicitors in the ſaid Court, ſo as ſuch Solicitor or Attorney be not an Officer of the ſaid Court, and ſo alſo, as every ſuch Attorney or Solicitor ſhall, before his Admiſſion to practiſe, take the following Oath in the ſaid Court; *viz.*

Their Oath.

I A. B. *do ſwear upon the Holy Evangeliſts of God, to do no Falſhood, or conſent to any to be done in this Court; and if I know of any to be done, to give Notice thereof to the Chief Juſtice, and his Aſſiſtants, that it may be reformed; to delay no Man for Lucre or Malice; to plead no Foreign Plea, nor ſue Foreign Suits unlawfully, to hurt any Man, but ſuch as ſtand with the Order of Law and my own Conſcience; nor wittingly or willingly to ſue, or cauſe or procure to be ſued any falſe Cauſe or Suit, or give Aid or Conſent to the ſame, upon pain of being expelled this Court for ever; and further to demean myſelf in the Office of Attorney or Solicitor within this Court, according to my Learning and Diſcretion.*

So help me God.

And if any Perſon ſhall preſume to practiſe as an Attorney or Solicitor in the ſaid Court before he hath been admitted as aforeſaid, and ſhall have taken the foregoing Oath, he ſhall forfeit Fifty Pounds current Money of the ſaid Iſland.

No Officer of the Court to be a Solicitor.

XLV. And be it further enacted by the Authority aforeſaid, That no Perſon practiſing in the ſaid Court, ſhall be Secretary, Deputy-ſecretary, Marſhal, or Marſhal's Deputy, under the Penalty of being diſabled to practiſe: And that the Number of Attornies and Solicitors of the ſaid Court ſhall not exceed

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XLVI. AND be it further enacted by the Authority aforeſaid, That the preſent Provoſt-marſhal, and his Deputy, acting here; and alſo all ſuch Perſons as either of them do or ſhall employ, as Bailiffs or Aſſiſtants, ſhall at the very next Court take the following Oath; *viz.*

Marſhal's Oath.

I A. B. *do ſwear upon the Holy Evangeliſts, That I will execute all Proceſs, Writs, and Precepts that ſhall be given to me, and which ſhall, by any lawful Authority, be directed to the Provoſt-marſhal of this Iſland, or to his lawful Deputy, and make due Returns thereof (where neceſſary) according to the beſt of my Power and Skill, without any unneceſſary Delay, and without Favour or Affection, Hatred or Ill-will.*

So help me God.

And all Provoſt-marſhals, and their Deputies, acting in this Iſland, and their Bailiffs and Aſſiſtants, ſhall for ever hereafter, before they enter upon their ſaid Offices, reſpectively take the ſame Oath before the Captain-general, Lieutenant-governor, or Preſident of the ſaid Iſland for the Time being; and if any of them neglect or refuſe ſo to do, he ſhall be incapable of ſerving in the ſaid Office; and the Provoſt-marſhal, and his Deputy here, ſhall employ none but Perſons of Ability and Honeſty, for whom they ſhall be anſwerable.

Attornies, &c. to take the Oaths of Allegiance and Supremacy, &c.

XLVII. AND be it further enacted by the Authority aforeſaid, That every Perſon who ſhall practiſe as Council at Law, Barriſter, Attorney, or Solicitor in the ſaid Court; and all Secretaries, their Deputies, and Clerks; all Provoſt-marſhals, their Deputies, and Bailiffs; and all other Officers exerciſing any Employment in or about the ſaid Court, ſhall, within one Month after they ſhall be admitted, or take upon them to practiſe, or to act in any ſuch Employment or Buſineſs, take and ſubſcribe the Oaths of Allegiance, Supremacy, and Abjuration, and make and ſubſcribe the Declaration in this Act beforementioned before the Council of the ſaid Iſland, or in the ſaid Court, or at the General Quarter-ſeſſions of Peace in the ſaid Iſland, otherwiſe they ſhall be, *ipſo facto*, adjudged incapable, and diſabled in Law to plead or practiſe in the ſaid Court, or to have, occupy, or enjoy the ſaid Offices and Employments.

Perſons not liable to an Arreſt.

XLVIII. AND be it hereby further enacted by the Authority aforeſaid, That no Perſon who is Owner either of fifteen Acres of Land, or of ten Slaves, or of a Houſe in any Town within this Iſland, worth ten Pounds current Money by the Year, ſhall be liable to a *Capias ad reſpondendum*; but in Actions to be brought againſt him, he ſhall be obliged to anſwer by Summons only.

Proviſo.

XLIX. PROVIDED nevertheleſs, and it is hereby enacted, That where any Perſon pending an Action or Suit againſt him, ſhall ſend his Slaves, or other Effects off the Iſland, and thereby give cauſe of Suſpicion, that he doth the ſame with Deſign to defraud his Creditors; then ſuch Perſon ſhall be immediately liable to an Arreſt of his Body.

Clauſe relating to Bills proteſted.

L. AND be it hereby further enacted by the Authority aforeſaid, That where Bills of Exchange have been or ſhall be proteſted, according to the Cuſtom of Merchants in that Behalf; every Perſon thereby prejudiced, or to whom ſuch Bill is or ſhall be made payable by the firſt Drawer or Drawers, or any Indorſer or Indorſers, ſhall and may commence and bring an Action upon the Caſe againſt the Drawer or Drawers, Indorſer or Indorſers of the ſaid Bills; and ſhall recover the Principal due thereupon, and ten Pounds *per Centum* for his Damages, and after the Rate of ten Pounds *per Centum per Annum* for Intereſt, to be reckoned from the Day of the Proteſt made, until the Principal Money due upon ſuch Bill ſhall be paid and ſatisfied: And that all

Bonds,

Bonds, Mortgages, and Securities whatſoever, made after the Publication of this Act, whereby there ſhall be reſerved above the Rate of eight Pounds for the Uſe and Forbearance of one hundred Pounds for one Year, ſhall be utterly void; but all Securities heretofore taken, ſhall be good for the Intereſt therein reſpectively expreſſed. 1724.

LI. AND be it hereby further enacted by the Authority aforeſaid, That nothing in this Act ſhall be conſtrued, or taken to affect the proper Goods or Chattels, Negroes, Lands, or Tenements, or the Perſons of any Executors or Adminiſtrators, otherwiſe, or in any other Manner, than as the Goods, Lands, and Perſons of Executors and Adminiſtrators are made chargeable and liable in the Kingdom of *Great Britain*, by the Laws and Uſage thereof. Clauſe relating to Executors,

LII. AND be it hereby further enacted by the Authority aforeſaid, That no publick Alarm or Invaſion ſhall cauſe any Diſcontinuance or Abatement of any Suit or Proceſs, depending or to be depending in the ſaid Court. and to an Invaſion.

LIII. AND be it hereby further enacted by the Authority aforeſaid, That all Actions of Treſpaſs *Quare clauſum fregit*, Treſpaſs, Detinue, Trover, and Replevin, for taking away of Goods and Chattels; and all Actions of Aſſault, Menace, Battery, Wounding, Impriſonment, or Slander, which ſhall be ſued or brought at any Time after the Date hereof, ſhall be commenced and ſued within the Time and Limitation hereafter expreſſed, and not after; that is to ſay, The ſaid Actions of Treſpaſs, Detinue, and Replevin of Goods and Chattels; and the ſaid Actions of Treſpaſs *Quare clauſum fregit*, within three Years next after the Date hereof, or within three Years next after the Cauſe of ſuch Action or Suit, and not after; and the ſaid Actions upon the Caſe for Slander, within one Year after the Date hereof, or within one Year after the Words are ſpoken, and not after. Limitation of Actions.

LIV. PROVIDED nevertheleſs, and be it further enacted by the Authority aforeſaid, That if in any of the ſaid Actions or Suits Judgement be given for the Plaintiff, and the ſame be reverſed by Error, or Verdict paſs for the Plaintiff; and upon Matter alledged in Arreſt of Judgement, the Judgement be given againſt the Plaintiff, that he take nothing by his Plaint, Writ, or Bill; then, and in ſuch Caſes, the Party Plaintiff, his Heirs, Executors, or Adminiſtrators, as the Cauſe ſhall require, may commence a new Action or Suit from time to time, within a Year after ſuch Judgement reverſed, or ſuch Judgement given againſt the Plaintiff, and not after. Proviſo.

LV. AND be it hereby further enacted by the Authority aforeſaid, That in all Actions of Treſpaſs *Quare clauſum fregit*, hereafter to be brought, wherein the Defendant or Defendants ſhall diſclaim in his or their Plea, to make any Title or Claim to the Land in which the Treſpaſs is by the Declaration ſuppoſed to be done, and the Treſpaſs be by Negligence or involuntary, the Defendant or Defendants ſhall be admitted to plead a Diſclaimer, and that the Treſpaſs was by Negligence or involuntary, and a Tender and Offer of ſufficient Amends for ſuch Treſpaſs before the Action brought; whereupon, or upon ſome of them, the Plaintiffs ſhall be forced to join Iſſue; and if the ſaid Iſſue be found for the Defendant, or the Plaintiff be nonſuited, the Plaintiff ſhall be clearly barred from the ſaid Action, and all other Suits concerning the ſame. Proviſo, where the Treſpaſs was involuntary.

LVI. AND be it hereby further enacted by the Authority aforeſaid, That in all Actions on the Caſe for ſlandrous Words to be ſued or proſecuted, if the Jury upon the Trial of the Iſſue, or the Jury that ſhall enquire of the Damages, do find or aſſeſs the Damage under forty Shillings, then the Plaintiff ſhall recover only ſo much Coſts, as the Damages ſo given or aſſeſſed amount unto, without any further Increaſe for the ſame; any Law, Statute, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. Clauſe relating to ſlandrous Words.

LVII. PROVIDED nevertheleſs, and be it hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons that is or ſhall be intitled

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Clauſe relating to Perſons under Age, &c.

to any Action of Treſpaſs, Detinue, Trover, Replevin, Aſſault, Menace, Wounding, or Impriſonment, or Action for Words, be, or ſhall be at the Time of any ſuch Action given or accrued, fallen or come within the Age of one and twenty Years, Feme-covert, *Non compos mentis*, impriſoned, or abſent from this Government; that then ſuch Perſon or Perſons ſhall be at Liberty to bring the ſame Actions, ſo as they take the ſame within ſuch Times as are before limited, after their coming to, or being of full Age, Diſcovert, of ſound Memory, at large, or returned to this Government, as other Perſons having no ſuch Impediment, might have done.

The Act, *Jac.* I. not to be pleaded in Bar of any Action brought within ſeven Years after the Date of this Act.

LVIII. And whereas by an Act of Parliament made in the twenty firſt Year of the Reign of the late King *James* the Firſt, intituled, *An Act for Limitation of Actions, and for avoiding of Suits in Law*, it is (amongſt other things) enacted, That all Actions of Account, and upon the Caſe, other than ſuch Accounts as concern the Trade of Merchandize between Merchant and Merchant, their Factor or Servant; all Actions of Debt grounded upon any Lending or Contract without Specialty, and all Actions of Debt for Arrearages of Rent, ſhall be commenced and ſued within ſix Years next after the Cauſe of ſuch Action or Suit, and not after: And whereas the ſaid Iſland has been chiefly ſettled by Credit given by Merchants and others, to the Inhabitants and Settlers thereof: To the end therefore that ſuch Creditors may by no Means loſe the Debts due to them, be it hereby further enacted by the Authority aforeſaid, That the aforeſaid Clauſe of the ſaid Act ſhall not be pleaded in Bar of any Action or Suit to be brought in the Courts of the aforeſaid Iſland for any Debt or Contract whatſoever, for the Space of ſeven Years next after the Date of this Act; and that all and every Perſon or Perſons, who have or ſhall have any Debt or Debts due and owing unto them from any Perſon or Perſons in the ſaid Iſland, ſhall and may, within the ſaid ſeven Years, be at Liberty to bring the ſame Actions and Suits; any thing in the ſaid mentioned Act, or in any other Act contained to the contrary in any wiſe notwithſtanding.

Grants of Lands, &c. to be good, without any Attornment of the Tenants.

LIX. And be it further enacted and declared by the Authority aforeſaid, That all Grants or Conveyances made of any Plantations, Lands, Tenements, or Rents, or of the Reverſion or Remainder of any Meſſuages or Lands, ſhall be good and effectual, to all Intents and Purpoſes, without any Attornment of the Tenants of any ſuch Plantations, Lands, or Meſſuages, or of the Land out of which ſuch Rent iſſues, or of the particular Tenants upon whoſe particular Eſtates any ſuch Reverſions and Remainders have been or may be expectant or depending, as if their Attornment had been had and made: Provided nevertheleſs, That no ſuch Tenant ſhall be prejudiced or damaged by Payment of any Rent to any ſuch Grantor, or by Breach of any Condition for Non-payment of Rent, before Notice ſhall be given to him of ſuch Grant by the Grantee.

Judges to make Rules of Practice.

LX. And be it hereby further enacted by the Authority aforeſaid, That the Judges of the ſaid Court ſhall and may make and eſtabliſh Rules and Orders of Practice in the ſaid Court, over and beſides what is contained in this Act; and until they ſhall ſo do, the Practitioners and Officers of the ſaid Court ſhall, as near as they can, govern themſelves by the Rules of the Courts of King's-bench and Common-pleas at *Weſtminſter*; which Rules, except where they are altered, or it is otherwiſe provided for in and by this Act, ſhall be in force until new and other Rules are made and eſtabliſhed by the Judges aforeſaid, and publiſhed in the Secretary's Office here.

Fines impoſed upon Jurors, Attornies, &c. how to be levied,

LXI. And be it further enacted by the Authority aforeſaid, That all Fines impoſed upon Jurors, or Perſons ſummoned as Jurors, by this Act, ſhall be immediately levied by Diſtreſs and Sale of the Offender's Goods and Chattels; and for want thereof, by Impriſonment of his or their Body or Bodies, until ſuch Fine or Fines ſhall be paid, by Warrant under the Hand of any of the ſaid Judges, to be directed to the Provoſt-marſhal, or his lawful Deputy; and the

Forfeitures

Forfeitures impoſed on Perſons preſuming to practiſe as Counſellors or Barriſters at Law, Attornies, or Solicitors in the ſaid Court, without ſuch Qualifications and Admiſſions as are before directed in and by this Act; and alſo, upon the Secretary or his Deputy, the Provoſt-marſhal or his Deputy, and their Bailiffs and Aſſiſtants, ſhall be recovered by Action, Bill, or Information in this Court, where no Eſſoign, Protection, or Wager of Law, nor any more than one Imparlance ſhall be allowed; and after Judgement had thereupon, Execution ſhall iſſue, as in other Caſes is appointed; the Moiety of which ſaid Fines upon Jurors ſhall be to His Majeſty, His Heirs and Succeſſors, to be paid to the Treaſurer of the ſaid Iſland, and to be employed for and towards the defraying the publick incident Charges thereof; and the other Moiety ſhall go towards defraying the Charges of the Judges at their Sittings; and the Moiety of all the Forfeitures and Penalties to be incurred by Lawyers, and alſo by the Secretaries and the Deputies, and the Marſhals and their Deputies, Bailiffs, and Aſſiſtants (except where the ſame, or any Part thereof is or are herein otherwiſe applied) ſhall be to His ſaid Majeſty, His Heirs and Succeſſors, to be paid and applied, as aforeſaid; and the other Moiety to ſuch Perſon or Perſons as ſhall inform and ſue for the ſame. 1724. and applied,

LXII. And be it hereby further enacted by the Authority aforeſaid, That the ſeveral Fees and Sums of Money mentioned and expreſſed in a Docket of Fees hereunto annexed, be, and ſhall be the ſtanding Fees; and no other, or greater Fees ſhall be taken by the reſpective Perſons in the ſaid Docket mentioned. Docket of Fees annexed to be the ſtanding Fees;

LXIII. And be it hereby enacted by the Authority aforeſaid, That all former Acts made in the ſaid Iſland for eſtabliſhing of Courts, or regulating the Practice of the Law, or for ſettling due Methods for the Adminiſtration of Juſtice in the ſaid Iſland, ſhall, by virtue of this Act, be repealed; and the ſame are, and every of them is hereby repealed, and made void. Former Acts relating to the Practice of the Law, repealed.

LXIV. And be it hereby further enacted by the Authority aforeſaid, That all Cauſes, Actions, and Suits, now depending in the Court of King's-bench and Common-pleas of the ſaid Iſland, and which was held by virtue of the aforeſaid former Act of the ſaid Iſland, intituled, *An Act for eſtabliſhing of Courts, and ſettling due Methods for the Adminiſtration of Juſtice*, ſhall be continued in the State they now are, until the Court be held in the Month of *May* next, and then the ſame Cauſes, Actions, and Suits ſhall be tried and determined according to the Tenor and Directions of this Act; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding. Cauſes depending, to remain in the ſame State they are, till the next Court.

A Table or Docket of Fees in the foregoing Act mentioned, to be thereunto annexed.

LXV. *Chief Judge's Fees.* Judge's Fees,

	l.	*s.*	*d.*
FOR every Writ, original and judicial, under his Hand and Seal,	0	06	00
For every Affidavit or Depoſition taken before him at his own Houſe,	0	06	00
For every Affidavit or Depoſition taken before him abroad, when he goes on Purpoſe to take them,	1	08	00
For every Witneſs ſworn in Court,	0	03	00
For every Judgement,	0	03	00
For the Allowance of a Writ of Error,	0	06	00
For Bail taken upon a Writ of Error,	0	14	00
For marking of the Record after the Writ is allowed,	0	06	00

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	l.	*s.*	*d.*
For the Tranſcript of the Record examined and returned under his Hand and Seal, ——	1	08	00
For every Bail, or other Security taken in Court or out of Court,	0	14	00
For every Summons to ſhew Cauſe of Action, ——	0	06	00
For the Examination of a Feme-covert upon any Conveyance,	2	16	00
For the Probate of every Deed or Writing for each Witneſs ſworn,	0	06	00
For taxing a Bill of Coſts, —— ——	0	06	00
For acknowledging of any Deed to be inrolled, —	0	14	00
For the Admiſſion of an Infant to his Guardian, —	0	14	00
For the Committment of every Priſoner offending againſt the foregoing Act, —— ——	0	14	00
For the acknowledging Satisfaction of a Judgement in Court,	0	06	00
For the Admiſſion of every Attorney of this Court,	2	16	00
For taking a Privy Verdict, ——	0	14	00
For the Exemplification and Examination of any Record,	1	08	00

Judge's Clerk's Fees.

LXVI. *Judge's Clerk's Fees.*

To the Judge's Clerk, for taking every Bail, ——	0	03	00
To ditto, for every Affidavit drawn by him, —	0	06	00
To ditto, for drawing a Summons to ſhew Cauſe of Action,	0	03	00
To ditto, for drawing every Bill of Coſts, ——	0	03	00
To ditto, for the Examination of a Feme-covert, or Probate of any Deed or Writing, ——	0	03	00
To ditto, for drawing a Bail-bond, or other Bond with Sureties,	0	06	00

Secretary's Fees.

LXVII. *Secretary's Fees.*

For entring every Action, ——	0	03	00
For every Writ of Summons to appear to an Action,	0	03	00
For filing every Declaration, Demurrer, Special Plea in Bar or Abatement, Replication, or Rejoinder,	0	01	06
For a Copy of a Declaration to ſerve on the Defendant, for every hundred and twenty Words, —	0	01	00
For entring every General Iſſue, ——	0	01	06
For the Entry of every Declaration, or other Pleading, and all Judgements and Proceedings upon any Action or Suit in the ſaid Court, as of Record in the Book for that Purpoſe to be kept, for every hundred and twenty Words,	0	01	00
For every Witneſs ſworn in Court, —	0	01	00
For entring a General Verdict, —— —	0	01	00
For entring Judgement, —— —	0	01	06
For every Writ, original or judicial, which he ſhall draw,	0	03	00
For the Tranſcript or Copy of any Record, or of any Deed or other Papers recorded in the Secretary's Office, for every hundred and twenty Words, —	0	01	00
For the recording or entring of any Deed or Writing in the Books kept in the Office, for every hundred and twenty Words,	0	01	00
For the Entry of any Recognizance, with Condition, taken in Court, —— —	0	03	00
For the Continuance of every Action to the third Court, by Conſent of Parties, — —	0	01	06
For every Satisfaction, *Retraxit*, or *Nolle proſequi* entred,	0	01	06

For

	l.	*s.*	*d.*	
For ſwearing every Attorney of the Court, —	0	03	00	1724.
For his Certificate, and filing it, —	0	03	00	
For adminiſtring the Oaths of Allegiance, *&c.* to any Perſon in Court,	0	01	06	
For entring a Warrant of Attorney to confeſs Judgement,	0	06	00	
For the Probate of every Deed or Writing proved in Court,	0	03	00	
For entring an Order of Reference, —	0	01	06	
For Copy of ditto, —	0	03	00	
For entring the Referree's Report, —	0	01	06	
For filing a *Scire facias* of any kind, —	0	01	06	
For entring the Writ of Error, and all Proceedings thereupon, for every hundred and twenty Words, —	0	01	00	

LXVIII. *The Marſhal's Fees.*

Marſhal's Fees,

For ſerving every Writ of Summons, and every other original Writ,	0	03	00
For ſerving a Copy of a Declaration, —	0	03	00
For ſerving a *Scire facias*, — —	0	03	00
For every Jury impannelled, he paying each Juror eighteen Pence,	1	18	00
For his Attendance upon a Jury when withdrawn,	0	03	00
For levying every Execution, for any Sum not exceeding one hundred Pounds, after the Rate of twelve Pence *per* Pound,	—	—	—
For levying every Execution, for any Sum above one hundred Pounds, after the Rate of ſix Pence in the Pound,	—	—	—
For putting up each Publication, or Sale of Things taken in Execution, — —	0	03	00
For ſerving a Warrant of Appraiſement for each Perſon ſummonded,	0	03	00
For executing a Writ of Poſſeſſion of Land, —	0	03	00
For executing a Writ of Poſſeſſion for Negroes, for each Negro ſix Shillings, — —	0	06	00
For executing a Writ of Poſſeſſion of Horſes, and other Cattle, for each Beaſt, — —	0	02	00
For ſerving a Writ of *Diſtringas*, or *Habeas corpora*, and attending the Jurors upon the View of any Lands or Tenements, and making his Return thereof to the Court,	1	10	00
For ſerving any judicial Writ not herein beforementioned,	0	06	00
For a Bill of Sale of any Lands, Tenements, Goods, or Chattels taken in Execution, and delivered or ſold to the Plaintiff, or other Perſon, — —	1	08	00
For Bail taken in Court, —	0	03	00
For ſerving a *Subpæna* on Witneſſes, for each Witneſs,	0	03	00
For the ſafe conducting of every Priſoner to and from the Court, upon a Writ of *Habeas corpus*, or otherwiſe,	0	07	00
For every Perſon taking the Oaths of Allegiance, *&c.* in Court,	0	00	09
For ſummoning a Jury on a Writ of Partition of Lands or Tenements, — — —	1	08	00
For attending the Jury upon a Partition, and drawing the Partition made by them, and his Return thereof,	3	00	00
For ſummoning a Jury, upon any Enquiry to be made, or Inquiſition to be taken by him, or the Trial of the Property of any thing taken in Execution by him for Debt or Damages, or upon a Writ, *De proprietate probanda*, in replevin,	1	08	00
For his Attendance upon every ſuch Jury, and his Return of the Inqueſt taken, — — — —	1	08	00

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№ 60. Expired. *An Act for raiſing a Tax on Negroes, and other Slaves, and on the Inland Trade of the ſaid Iſland.*

№ 61. Expired. *An Act for ſettling the yearly Sum of Three hundred Pounds current Money, on the Honourable* William Mathew *Eſquire, Lieutenant-governor of St.* Chriſtopher's, *for diſcharging the Rent of a Houſe for his Reception.*

№ 62. Expired. *An Act for repealing of a certain Act of the Iſland of St.* Chriſtopher, intituled, *An Act for ſettling a Salary on* William Nivine *Eſquire, Agent for the Iſland of St.* Chriſtopher, *in* London, *during his Agency.*

№ 63. Expired. *An Act for ſettling a Salary on* Thomas Beake *Eſquire, Agent for the Iſland of St.* Chriſtopher, *in* London, *during his Agency.*

An

1724.

An Act for building a Court-houſe, or publick Hall, Secretary's, and other Offices, at the Town of Old Road, *in the Iſland of St.* Chriſtopher; *and to oblige the Secretary, and other Officers, to keep their reſpective Offices in the ſaid Town.* No 64.

FORASMUCH as at preſent there is not any Court-houſe, or publick Hall in the ſaid Iſland, for the meeting of the Council and Aſſembly thereof, or for the holding of His Majeſty's Courts of Juſtice in the ſame Iſland: Be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Captain-general, and Governor in chief of all His Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, That upon that Piece of Ground belonging to His ſaid Majeſty, in the Town of *Old Road* aforeſaid, adjoining to the common Gaol, there ſhall, with all poſſible Speed, be erected and built a Court-houſe, or publick Hall, and a Secretary's, and other neceſſary Offices, as ſpacious and convenient as the ſaid Ground will admit of; the Walls of which Buildings ſhall be of Brick or Stone, or Brick and Stone together, of twenty four Inches thick, and eighteen Feet high at the leaſt, with Door-caſes and Window-frames of *lignum vitæ* Wood, Iron-wood, or ſome other hard and durable Wood. A Court-houſe to be built at *Old Road*.

II. AND be it further enacted by the Authority aforeſaid, That the ſaid Court-houſe ſhall contain one Story, or Loft, twelve Feet high from the Ground-floor; the Beams and Timber whereof, and of the Roof of the ſaid Buildings, ſhall be of good, large, and ſubſtantial Pine, or other good Timber, ſuch as the Surveyor or Surveyors, Superviſor or Superviſors of the ſaid Buildings ſhall think moſt fit and proper. Height of the Building.

III. AND be it further enacted by the Authority aforeſaid, That the Captain-general, and Governor in chief of the ſaid Leeward Iſlands, ſhall and may appoint one or more Surveyor or Surveyors, Superviſor or Superviſors of the ſaid Buildings; who ſhall take care, and ſee the ſame ſubſtantially and commodiouſly built, and who for that Purpoſe ſhall and may buy Lime, Bricks, Timber, and other Materials; and alſo agree with, and employ Maſons, Bricklayers, Carpenters, and other Artificers and Workmen, and Labourers. Governor to appoint Surveyors.

IV. AND be it further enacted by the Authority aforeſaid, That the whole Charge of the ſaid Buildings, and of the Wages of the ſaid Surveyor or Surveyors, Superviſor or Superviſors, ſhall be paid and diſcharged by the Treaſurer of this Iſland for the Time being, out of the Treaſury thereof. Charge how to be defray'd.

V. PROVIDED always, and it is hereby further enacted by the Authority aforeſaid, That the Surveyor or Surveyors, Superviſor or Superviſors, who ſhall be appointed to ſuperintend the ſaid Buildings, ſhall, before he or they enter into any Agreement with any Maſons, Bricklayers, Carpenters, or other Workmen, to build the ſame, lay before the ſaid Governor in chief, and, in his Abſence from the Iſland, before the Lieutenant-governor, or Preſident of the Council for the Time being, and the Council and Aſſembly of the ſaid Iſland, for their Conſideration and Approbation, a Model or Plan of the ſaid Buildings, together with the Terms and Propoſals offered or propoſed by any Workman or Workmen, to carry on and complete the ſame. Plan to be laid before the Governor, &c.

VI. AND be it further enacted by the Authority aforeſaid, That all the Records and publick Books in the Keeping or Cuſtody of the Secretary, or his

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his Deputy, and all other the Records and publick Books and Regiſters belonging to the Courts of Law and Equity, and all other Courts of Juſtice within the ſaid Iſland, ſhall be removed unto, and be for ever hereafter kept in the ſeveral and reſpective Offices and Places, which ſhall be for that Purpoſe ſet apart and appointed within the ſaid Buildings by the Captain-general, and Governor in chief of the ſaid Leeward Iſlands; and, in caſe of his Abſence from the ſaid Iſland, by other the Commander thereof, by and with the Advice of His Majeſty's Council, and the Aſſembly there.

Publick Records to be kept there.

All Officers to keep their Offices at *Old Road*, and not elſewhere.

VII. AND be it further enacted by the Authority aforeſaid, That the Secretary of the ſaid Iſland, and his Deputy; the Clerks, and other Officers of the Courts of King's-bench and Common-pleas of the ſaid Iſland; the Maſters, Regiſters, Examiners, and Clerks in the Chancery; the Clerks of the Crown and Peace; the Regiſter, and other Officers of the Court of Admiralty; the Regiſter, and all others holding Offices under the Ordinary; the Provoſt-marſhal, and his Deputy; and all and every other Perſon and Perſons, which do or ſhall exerciſe or enjoy any publick Office or Employment in the ſaid Iſland, by virtue of any Act of the Council and Aſſembly thereof, or by the Nomination or Appointment of the Chief Governor of the ſaid Leeward Iſlands, ſhall keep their ſeveral Offices at the Town of *Old Road* aforeſaid, and at no other Place whatſoever within the ſaid Iſland, under the Forfeiture of One hundred Pounds for every Neglect or Refuſal, Notice being firſt given to the ſaid Officers of the Places ſet apart and appointed for their ſaid ſeveral Offices within the ſaid Buildings reſpectively, by the ſaid Chief Governor, Lieutenant-governor, Council, or Aſſembly; one Moiety of which Forfeiture ſhall be to the King's Majeſty, His Heirs and Succeſſors, for the Uſe of the Fortifications, and towards defraying other the contingent Charges of the ſaid Iſland, and the other Moiety to him or them who ſhall inform or ſue for the ſame; to be recovered by Bill, Plaint, or other Information in any Court of Record within the ſaid Iſland, wherein no Eſſoign, Protection, or Wager in Law ſhall be allowed: Or if the Judges of His Majeſty's Courts of King's-bench and Common-pleas in the ſaid Iſland, ſhall, of their own certain Knowledge, know any of the ſaid Officers to offend in the Premiſſes, by not holding or keeping their reſpective Offices at the Town of *Old Road*, as is required by this Act, and according to the true Intent and Meaning thereof; the ſaid Judges, or any three of them, ſhall, and hereby have full Power and Authority to iſſue a *Diſtringas*, directed to the Provoſt-marſhal, or his lawful Deputy, or other lawful Officer for levying every ſuch Forfeiture, by Sale of the Offender's Goods in three Days at the ſaid Town of *Old Road*; of which Sale the ſaid Provoſt-marſhal, or his lawful Deputy, or other lawful Officer, ſhall give publick Notice immediately upon levying the Diſtreſs, and return the Overplus, if any, to the Owner; and every ſuch Forfeiture ſhall be paid unto the Treaſurer for the Time being, for the Uſe of His Majeſty, His Heirs and Succeſſors, in repairing the ſaid Fortifications, and defraying other the ſaid contingent Charges of the ſaid Iſland.

Penalty.

An

1724.

An Act for erecting into a Pariſh Part of the Quarter of this Iſland, called Cabeſterre *Quarter, by the Name of the Pariſh of St.* Paul Cabeſterre; *and for enlarging the two Pariſhes of St.* Anne Sandy Point, *and St.* John Cabeſterre, *within the ſaid Iſland.* N° 65.

WHEREAS the Inhabitants of that Quarter of the ſaid Iſland, called *Cabeſterre* Quarter, have, ſince the Conqueſt made of the ſame by the Crown of *England*, been unprovided with a Place of publick Worſhip, wherein to perform the Divine Service of Almighty God; and therefore are deſirous that the ſaid Quarter, or ſome Part thereof, may be erected into a Pariſh, under like Qualifications and Reſtrictions with the other Pariſhes of this Iſland: And whereas the two Pariſhes of St. *Anne Sandy Point*, and St. *John Cabeſterre*, by reaſon of their narrow Limits, and ſmall Number of Negroes, are burthened with Pariſh Rates and Charges in a heavier Degree than are the other Pariſhes within this Iſland, and therefore pray to be relieved, by enlarging thoſe reſpective Pariſhes: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Chief Governor of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of this Iſland of St. *Chriſtopher*, do moſt humbly pray Your Majeſty that it may be enacted; and it is enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the ſaid Chief Governor, and Council and Aſſembly, and by the Authority of the ſame, That from and after the Date of this Act, all that Part of the Quarter within the ſaid Iſland, commonly called and known by the Name of *Cabeſterre* Quarter, ſituate and being between the *Northermoſt* Bounds, formerly belonging to Monſieur *Aſſaly*, and now in the Poſſeſſion of *Martha Aſſaly*, and *Clement Crook*, *Henry Crook*, *Aſſaly Crook*, *Peter Thomas Crook*, *Thomas Crook*, and *Dowſon Crook*, or their under Tenants; and the *Northermoſt* Bounds of the Lands in Poſſeſſion of *John Orton*, and ſo from thence upon a direct Line to the Mountain *Sandy Point*-wards; and the *Eaſtermoſt* Bounds of the Lands in the Poſſeſſion of *John Davies* Eſquire, running from the Sea in a ſtraight Line till it falls into a Gutt called *Borneuff*'s Gutt, and running along the ſaid Gutt up to the Mountain deep, Baywards, ſhall, and is hereby declared to be and remain a ſeparate and diſtinct Pariſh, by the Name of St. *Paul Cabeſterre*; and all the Inhabitants reſiding within the ſaid Bounds ſhall be governed by, and ſubject unto the ſeveral Clauſes and Things contained in an Act of this Iſland, intituled, *An Act for regulating Veſtries; and for erecting into a Pariſh Part of the Quarter of this Iſland, called* Baſſeterre *Quarter, by the Name of St.* George Baſſeterre; *and for repealing an Act of this Iſland*, intituled, *An Act for regulating the Veſtries, paſſed in the tenth Year of Her late Majeſty's Reign; and for annexing other Parts of the ſaid Quarter to the reſpective Pariſhes of St.* Mary Cayon, *and* Trinity Palmeto Point, in the ſame Manner, and to all Intents, Conſtructions, and Purpoſes whatſoever, as far as they ſhall relate to the regulating of Veſtries, as is any other Pariſh within the ſaid Iſland, and under all the Penalties and Forfeitures of the ſaid Act reſpectively; and the ſaid Pariſh of St. *Paul Cabeſterre* ſhall hereafter be deemed a diſtinct Pariſh, and as ſuch ſhall enjoy the reſpective Rights, Privileges, and Advantages of a ſeparate and diſtinct Pariſh, in as full and ample a Manner as any of the ſaid other Pariſhes within the ſaid Iſland do, or are by Law intitled unto; and ſhall have equal Right in chooſing Veſtrymen, and other Pariſh-officers

Bounds of the Pariſh to be erected.

1724. riſh-officers, for tranſacting any Buſineſs whatſoever relating to the Affairs of the ſaid Pariſh of St. *Paul Cabeſterre*, as any of the other ſaid Pariſhes have and enjoy by virtue of the ſaid Act.

The Remains of the Quarter how to be divided.

II. And it is further enacted and declared by the Authority aforeſaid, That the two remaining Parts of the ſaid Quarter ſhall be annexed to the ſaid two Pariſhes of St. *Anne Sandy Point*, and St. *John Cabeſterre*; namely, That Part next adjoining to the ſaid Pariſh of St. *Anne Sandy Point*, ſhall be added and annexed to the ſaid Pariſh of St. *Anne Sandy Point*; and that Part next adjoining to the ſaid Pariſh of St. *John Cabeſterre*, ſhall be added and annexed to the ſaid Pariſh of St. *John Cabeſterre*; and all the Inhabitants reſiding within the two ſaid additional Parts of the aforeſaid Pariſhes of St. *Anne Sandy Point*, and St. *John Cabeſterre*, ſhall have the ſame Rights, Privileges, and Advantages, as the other Inhabitants within the ſame Pariſhes have, can, or may have by virtue of the ſaid Act.

Continuance of this Act.

III. And be it further enacted by the Authority aforeſaid, That nothing in this Act contained, relating to the aforeſaid Quarter of *Cabeſterre*, and Inhabitants thereof, for erecting the ſaid Quarter into a Pariſh, and annexing the two remaining Parts thereof to the two next adjoining Pariſhes of St. *Anne Sandy Point*, and St. *John Cabeſterre*, ſhall have Continuance, or be in Force longer than, and until an Alteration or other final Diſpoſition ſhall be made of the Lands in the ſaid Quarter, by His Majeſty, His Heirs or Succeſſors.

1725. N° 66. *An Act to repeal an Act made in the eighth Year of the Reign of His Majeſty King* George, intituled, *An Act for raiſing of Gunpowder, and Small Arms, upon the Tonnage of the Veſſels trading to and with this Iſland, ſo far as the ſaid Act relates to all Sloops and other Veſſels trading to this Iſland from the* Britiſh *Iſlands, lying to the Leeward of this Iſland; and to exempt the ſaid Sloops and Veſſels from the Duties and Penalties in the ſaid Act contained.*

WHEREAS by an Act of the ſaid Iſland, made in the eighth Year of the Reign of our Sovereign Lord King *George*, intituled, *An Act for raiſing of Gunpowder, and Small Arms, upon the Tonnage of the Veſſels trading to and with this Iſland, for the Uſes in the ſaid Act mentioned*, it is enacted, That a Duty of Gunpowder and Small Arms be laid on the Tonnage of all Veſſels trading to the ſaid Iſland, excepting thoſe Veſſels whoſe Owners are Inhabitants of the ſame Iſland: And whereas ſince the making of the ſaid Act, it has been found by Experience, that the Inhabitants of the *Britiſh* Iſlands to the Leeward of this Iſland, trading in Sloops and other Small Veſſels, and bringing hither for the Benefit of this Iſland live Stock, *Indian* Proviſions, Timber for building, and other Commodities, by reaſon thoſe things amount to an inconſiderable Value and Profit, are unable to pay the Duties enjoined by the ſaid Act: For the Relief therefore of the Inhabitants of the aforeſaid Leeward Iſlands, and to encourage them to trade, and ſend their Veſſels to this Iſland; we, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in chief of

all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the aforeſaid Iſland, do moſt humbly pray that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the ſaid Governor in chief, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, That from and after the twenty fifth Day of *March* now next coming, all Sloops, and other Veſſels coming and trading to and with this Iſland from the aforeſaid *Britiſh* Leeward Iſlands, and bringing live Stock, *Indian* Proviſion, Timber for building, Cotton, Hammucks, or any other Commodity of the Growth and Produce of the aforeſaid Leeward Iſlands, ſhall be wholly exempted and freed from paying the Duties impoſed by the ſaid Act, and from the Penalties therein contained; any Law or Act of this Iſland to the contrary thereof notwithſtanding. 1725.

What Things are exempted from the Duties impoſed by 8 *Geo.* I.

An Act to limit the Time of an Act, intituled, *An Act to regulate the Militia of this Iſland.* N° 67. Expired.

An Act to ſubject all Goods and Commodities, of the Growth and Produce of the late French *Part of the Iſland of St.* Chriſtopher, *which are or ſhall be ſhipt off from the ſaid Iſland, to the Payment of the Four and a Half* per Cent. *Duty; and to aſcertain at what Places all the Duties of Four and a Half* per Cent. *ſhall be received.* 1727. N° 68.

WHEREAS in and by an Act or Statute of the General Council and General Aſſembly of the Leeward Carribbee Iſlands in *America*, called or known by the Names of the Iſlands of *Nevis*, St. *Chriſtopher*, *Antigua*, and *Mountſerratt*, made in or about the Year of our Lord One thouſand ſix hundred and ſixty three, and intituled, *An Act for ſettling an Impoſt on the Commodities of the Growth of the ſaid Leeward Carribbee Iſlands*, a certain Duty or Cuſtom of four Pounds and a half in *Specie*, for every hundred weight of the Commodities of the Growth and Produce of the ſaid Leeward Iſlands, then after to be ſhipt off from the ſaid Iſland, or any of them, was given and granted to our late Sovereign Lord *Charles* the Second, then King of *England*, *Scotland*, *France*, and *Ireland*, and to His Heirs and Succeſſors for ever, as in and by the ſame Act or Statute, relation being thereunto had, may more fully,

and

1727. and at large appear: And whereas ſince the making of the ſaid Statute (to wit) in and by the late Treaty of Peace and Friendſhip concluded at *Utretcht* between the Crowns of *Great Britain* and *France*, an entire Ceſſion was made by the Moſt Chriſtian King, *Lewis* the Fourteenth, to our late Sovereign Lady, *Anne*, Queen of *Great Britain*, *France*, and *Ireland*, and to Her Crown for ever, of all that Part of the Iſland of St. *Chriſtopher* formerly belonging to the Crown of *France*, ſo that the ſame late *French* Part of the ſaid Iſland of St. *Chriſtopher* is now become Parcel of the Realm of *Great Britain*, and is under the ſole Dominion and Government of the Crown of the ſame: And whereas ſome Doubts have ariſen, whether the ſaid late *French* Part of the ſaid Iſland, ſo yielded up, as aforeſaid, to the ſaid Crown of *Great Britain*, be ſubject to the Payment of the aforeſaid Duties of four Pounds and a half *per Cent.* ſo as aforeſaid in and by the ſaid recited Act given and granted to our ſaid late Sovereign Lord King *Charles* the Second, His Heirs and Succeſſors: For avoiding therefore all Diſputes and Controverſies which may for the future ariſe within the ſame Iſland, touching or concerning the Payment of the ſame Duties; we, Your Majeſty's moſt dutiful and loyal Subjects, *John Hart* Eſquire, Your Majeſty's Captain-general, and Governor in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, do humbly beſeech Your Majeſty that it may be enacted and declared; and be it, and it is hereby enacted and declared by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Captain-general, and Governor in chief of the ſaid Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, and by the Authority of the ſame, That all and ſingular the Goods and Commodities of the Growth and Produce of the ſaid late *French* Part of the ſaid Iſland of St. *Chriſtopher*, and which at this Time are, or hereafter ſhall be ſhipped from thence, in order to be carried to any other Port or Place whatſoever, are, and for ever hereafter ſhall be ſubject and liable, and the ſame Goods and Commodities, and every of them, are hereby made ſubject and liable to the Payment of the aforeſaid Duties and Cuſtoms of four Pounds and half a Pound *per Cent.* in *Specie*, to Your Moſt Sacred Majeſty, Your Heirs and Succeſſors, in ſuch Manner and Sort, as the Goods and Commodities of the Growth and Produce of that Part of the ſaid Iſland, known or called by the Name of the *Engliſh* Part thereof, have heretofore and hitherto been ſubjected and liable unto, by Force and Virtue of the above-recited Act or Statute.

All Goods of the Produce of the *French* Part of the Iſland, liable to four and a half *per Cent.* Duty.

II. And whereas the ſaid Duties or Cuſtoms have heretofore been accuſtomed to be paid to Your Majeſty, and Your Royal Predeceſſors, at the Ports or Shipping-places only within the *Engliſh* Part of the ſaid Iſland; which being moſt of them very remote, and far diſtant from moſt of the Settlements made by Your Majeſty's Subjects in the ſaid late *French* Part of the ſame Iſland, doth render the Carriage of the ſame Duties and Cuſtoms, in Hogſheads, Caſks, and other Packages thither, very inconvenient, burthenſom, and expenſive to them: For Remedy thereof for the future, and foraſmuch as there is at this Time a very conſiderable Town built by ſeveral of Your Majeſty's good and faithful Subjects, called *Baſſeterre* Town, within the *French* Part of the ſaid Iſland, which is now become one of the chief Places of Trade in the ſaid Iſland, and where a great Part of the Ships and Veſſels trading to the ſame do lade; be it therefore further enacted and declared by the Authority aforeſaid, That the ſeveral Ports of *Old Road*, *Sandy Point*, and *Baſſeterre*, within the ſaid Iſland, ſhall for ever hereafter be, and be deemed and taken as Towns and Places wherein the aforeſaid Duties and Cuſtoms accruing and growing due to Your Majeſty, Your Heirs and Succeſſors, within the ſaid Iſland of St. *Chriſtopher*, by virtue of this and the above-recited Act, or either of them, ſhall and may be paid and delivered; and that Your Majeſty's preſent Cuſtomer or Collector of Your Cuſtoms in the ſaid Iſland, and all and

The ſaid Duty where to be paid.

every

every other Cuſtomer or Collector, Cuſtomers and Collectors within the ſame Iſland for the future, ſhall receive and take the ſaid ſeveral Duties and Cuſtoms at the ſaid ſeveral Towns of *Old Road*, *Sandy Point*, and *Baſſeterre* reſpectively; any Law, Statute, or Uſage to the contrary thereof in any wiſe notwithſtanding. 1727.

An Act againſt covinous and fraudulent Conveyances; and for a publick Regiſtry in the Iſland of St. Chriſtopher. № 69.

FORASMUCH as divers of His Moſt Excellent Majeſty's good and faithful Subjects in the ſaid Iſland, after Conveyances to be obtained, and Purchaſes to be made of Lands, Tenements, and Hereditaments, Negro, Mulatto, or *Indian* Slaves, for Money, or other good Conſideration, may have, receive, and incur great Loſs and Prejudice, by reaſon of fraudulent and covinous Sales, Conveyances, Eſtates, Gifts, and Aſſurances and Limitations of Uſes to be made of, in, or out of any Lands, Tenements, Hereditaments, Negro, Mulatto, or *Indian* Slaves to be purchaſed: And whereas Eſtates and Titles are rendered very uncertain and precarious to the Inhabitants of the ſaid Iſland, for want of a proper Office for the ſecuring and preſerving of Deeds and Conveyances; and cannot be remedied, but by ſettling and eſtabliſhing one for that Purpoſe: And whereas the Iſland of *Antegua* hath, by many Years Experience, been convinced of the unſpeakable Advantages of an Act erecting an Office in that Iſland, for the regiſtring of Deeds, Conveyances, and Wills: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Captain-general, and Governor in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher*, pray that it may be enacted; and be it, and it is hereby enacted and ordained by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the ſaid Chief Governor, and the ſaid Council and Aſſembly, and by the Authority of the ſame, That all Deeds and Conveyances, Gifts, Grants, and Aſſurances, which after the Publication of this Act ſhall be made in Writing, and executed; and all Writs and Deviſes in Writing, made or to be made, and publiſhed where the Deviſor or Teſtator ſhall die (after the ſaid Publication of or concerning, and whereby any Meſſuages, Lands, Tenements, Hereditameuts, Negroes, or other Slaves whatſoever in the ſaid Iſland, may be any way affected in Law or Equity) ſhall be entred and regiſtred in ſuch Manner as is herein after directed; and that every Deed and Conveyance that ſhall, at any Time after ſuch are regiſtred, be made and executed, of the Meſſuages, Lands, Tenements, Hereditaments, Negroes, or other Slaves, or any Part thereof compriſed or contained in any ſuch Deed or Conveyance, ſhall be adjudged fraudulent and void, againſt any ſubſequent Purchaſer or Mortgagee, for valuable Conſideration, unleſs ſuch Deed or Conveyance ſhall be regiſtred, as by this Act is directed, before the regiſtring of the Deed or Conveyance under which ſuch ſubſequent Purchaſer or Mortgagee ſhall claim: And that every Deviſe, by Will of Lands, Tenements, Hereditaments, Negroes, or other

Deeds, &c. to be regiſtred,

1727. Slaves, or any Part thereof mentioned or contained in any Will ſo regiſtred, as aforeſaid, that ſhall be made and publiſhed after the regiſtring ſuch Will, ſhall be adjudged fraudulent and void, againſt any ſubſequent Purchaſer or Mortgagee, for valuable Conſideration, unleſs ſuch Will be regiſtred in ſuch Manner as is herein after directed.

II. And be it further enacted, That from and after the Publication of this Act, no Lands, Tenements, or Hereditaments whatſoever within this Iſland, ſhall paſs, alter, or change from one to another; nor any Eſtate of Inheritance or Freehold, or for Years, ſhall be made, or any Property therein altered or transferred, or take Effect in any other Perſon or Perſons, or any Uſe thereof be raiſed by reaſon of any Bargain, Sale, *Feoffment*, Gift, Letters Patent, Grant, or other Conveyance whatſoever to be made or executed thereof, except ſuch Letters Patent, Bargain, Sale, *Feoffment*, Gift, Grant, or other Conveyance ſhall be entred and regiſtred in the ſaid Regiſter's Office as follows; *viz.* Every Letters Patent, Bargain, Sale, *Feoffment*, Gift, Grant, or other Conveyance of, touching, or concerning the Premiſſes, or any of them, made and executed upon the ſaid Iſland, ſhall be regiſtred within three Calendar Months after the making and executing thereof; and every ſuch Letters Patent, Bargain, Sale, *Feoffment*, Grant, or other Conveyance made and executed beyond the Seas, ſhall be entred and regiſtred within the Term of two Years from and after the Execution thereof.

if executed within the Iſland, in 3 Months;

if beyond the Seas, in 2 Years.

Proviſo. III. Provided nevertheleſs, and it is hereby declared, That nothing in this Act contained ſhall extend, or be conſtrued, deemed, or taken to extend to any Contracts made or to be made with the Commiſſioners appointed by His Majeſty, for the propoſing, offering, treating, contracting, and agreeing for the Purchaſe of the late *French* Lands in this Iſland, or to any Leaſes made of any Lands, Tenements, Hereditaments, Negroes, or other Slaves, wherein or whereupon the full or accuſtomed Rent of ſuch Lands, Tenements, Hereditaments, Negroes, or other Slaves, is really, and *bona fide*, reſerved and made payable, and where the Leſſee is and ſhall have been in the actual Poſſeſſion of the Lands, Tenements, Hereditaments, Negroes, or other Slaves ſo leaſed, from the Time of making ſuch Leaſe; but that all ſuch Contracts and Leaſes ſhall be in all Things as firm, valid, and effectual (although not regiſtred in the ſaid Office) as they would or could have been in caſe this Act had never been made; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

IV. And for the preventing any Frauds that may be committed by any double Mortgage, or Sale of any Lands, Tenements, Hereditaments, Negroes, or other Slaves, after any Mortgage or Sale made thereof; be it, and it is hereby enacted by the Authority aforeſaid, That every Grant, Bargain, Sale, or other Conveyance hereafter to be made of any Lands, Tenements, Hereditaments, Negroes, or other Slaves, for the ſecuring the Payment of any Sum or Sums of Money, or Quantity of Sugar, or for the Performance of any Condition whatſoever, ſhall be void, to all Intents and Purpoſes whatſoever; unleſs the ſame be entred and regiſtred in the ſaid Office, if made and executed within this Iſland, in one Calendar Month; and if beyond the Seas, within one Year after the Execution of ſuch Deed.

Clauſe to prevent double Mortgages, &c.

V. And for preventing of Frauds uſually committed in making private Gifts and Grants of Negroes and other Slaves, for Conſideration of Blood, or natural Affection; be it, and it is hereby likewiſe further enacted by the Authority aforeſaid, That all and ſingular Gifts and Grants of Negroes or other Slaves, which hereafter ſhall be made to any Perſon or Perſons whatſoever, in Conſideration of Blood or natural Affection, or where the Perſon or Perſons to whom ſuch Gift or Grant ſhall be made, is or are any ways allied by Blood to the Giver or Granter thereof, ſhall be, *ipſo facto*, void, to all Intents, Conſtructions, and Purpoſes; unleſs ſuch Gifts and Grants ſhall be put into Writ-

and Frauds in making Grants of Negroes, &c. for Conſideration of Blood or Affection.

ing,

ing, and entred and regiſtred in the ſaid Office within ſuch Time and Times, and in ſuch Manner as all other Deeds, Conveyances, Aſſurances, and Mortgages of Lands, Tenements, Hereditaments, Negroes, and other Slaves within the ſaid Iſland, are herein before directed and appointed to be entred and regiſtred: And that every ſuch Deed, and other Conveyance in Writing (Letters Patent only excepted) of, touching, or concerning the Premiſſes, as ſhall be made and executed upon this Iſland, ſhall, before the ſame be regiſtred, be either acknowledged by the Party or Parties who ſhall execute the ſame, or the Execution thereof be proved by the Oath of one of the Witneſſes thereto, before the Chief Juſtice of the King's-bench and Common-pleas here; or, in caſe of his Abſence from this Iſland, before the eldeſt Juſtice of the ſaid Court; and that all ſuch Deeds and Conveyances in Writing (Letters Patent only excepted) of, touching, or concerning the Premiſſes, as ſhall be made and executed beyond the Seas, ſhall be acknowledged or proved in Manner as aforeſaid, before one of the Juſtices of the King's-bench and Common-pleas, or before the Chief Magiſtrate or Officer of the Land, Iſland, or Place where ſuch Deed or Conveyance ſhall be executed. 1727.

VI. And for ſettling and eſtabliſhing a certain Method, with proper Rules and Directions for regiſtring ſuch Deeds, Conveyances, and Wills, as aforeſaid; be it, and it is hereby further enacted by the Authority aforeſaid, That one publick Office for regiſtring ſuch Deeds, Conveyances, and Wills, of and concerning the Premiſſes, ſhall be eſtabliſhed and kept in the Town of *Baſſeterre*, in the ſaid Iſland; which ſaid Office ſhall be managed and executed by *Nicholas Bland*, of the ſaid Iſland, Eſquire, or his ſufficient Deputy, for ſo long Time as he ſhall well demean himſelf therein; and from and after the Death, Surrender, or Forfeiture of the ſaid *Nicholas Bland*, the ſaid Office ſhall be managed and executed by a fit and able Perſon, to be from Time to Time elected and appointed in Manner herein after directed, or his ſufficient Deputy, and to continue likewiſe in the ſaid Office for ſo long Time as he ſhall well demean himſelf therein: And that all Elections of a Regiſter, at any Time hereafter to be made or appointed by virtue of this Act, ſhall be made by the Chief Governor, or Commander in chief of the ſaid Leeward Carribbee Iſlands for the Time being, by and with the Approbation and Conſent of the Council and Aſſembly of the ſaid Iſland; and the Perſon ſo elected and appointed by the ſaid Chief Governor, or Commander in chief for the Time being, by and with the Approbation and Conſent of the ſaid Council and Aſſembly, by virtue of this Act, as aforeſaid, ſhall be declared Regiſter: And that when and as often as the ſaid Office ſhall be vacant, by the Death, Forfeiture, or Surrender of any ſuch Regiſter, the ſaid Chief Governor, or Commander in chief for the Time being, ſhall and is hereby obliged and required, upon the firſt Notice after ſuch Death, Forfeiture, or Surrender, by and with the Advice of the ſaid Council and Aſſembly, to elect and appoint a fit and able Perſon for a ſucceeding Regiſter, in Manner as aforeſaid; and the Perſon ſo elected, publickly to declare Regiſter.

Regiſter Office where to be kept, and by whom managed.

VII. And be it further enacted by the Authority aforeſaid, That upon the Death of any ſuch Regiſter, and until another Election of a Perſon to execute that Office ſhall be made in Manner as aforeſaid, the Executors or Adminiſtrators of the Regiſter deceaſed, together with the Sureties of the ſaid Regiſter, or their Executors or Adminiſtrators, ſhall appoint a proper Perſon to execute the Office of Regiſter; for whoſe Demeanor in the Execution of the ſaid Office, the Sureties given for ſuch Regiſter deceaſed, ſhall be liable.

Place of deceaſed Regiſter how to be ſupplied, till another is elected.

VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Regiſter ſhall indorſe a Certificate on every Deed, Conveyance, and Will, and therein mention the certain Day, Hour, and Time in which ſuch Deed, Conveyance, and Will is ſo entred and regiſtred, expreſſing alſo in what Book, Page, and Number the ſame is entred; and that the Regiſter, or his Deputy, ſhall

In what Manner Deeds, *&c.* are to be regiſtred.

1727. ſhall ſign the ſaid Certificate ſo indorſed; which Certificate ſhall be taken and allowed as Evidence of ſuch reſpective Regiſtries in all Courts of Record within this Iſland; and that every Page of the Regiſter Books, and every Deed, Conveyance, and Will that ſhall be entred therein, ſhall be numbered, and the Day of the Month, and the Day, Hour, and Time of the Day, when every Deed, Conveyance, and Will is regiſtred, ſhall be entred in the Margent of the ſaid Regiſter Books, and of the ſaid Deeds, Conveyances, and Wills; and that every ſuch Regiſter ſhall keep a Calendar, referring to every Deed, Conveyance, and Will that concerns any Meſſuages, Lands, Tenements, Hereditaments, Negroes, or other Slaves within the ſaid Iſland, and of the Names of the Parties mentioned in the ſaid Deeds, Conveyances, and Wills; and that the ſaid Regiſter ſhall duly file every ſuch Deed, Conveyance, and Will, in Order of Time, as the ſame ſhall be brought to the ſaid Office, and enter or regiſter the ſaid Deeds, Conveyances, and Wills, in the ſame Order that they ſhall reſpectively come to Hand.

Regiſter to be ſworn,

IX. AND be it further enacted by the Authority aforeſaid, That every ſuch Regiſter, before he enter upon the Execution of his Office, ſhall be ſworn before the Chief Governor, Lieutenant-governor, or Preſident of the Council, who are hereby impowered and required to adminiſter the ſaid Oath in theſe Words:

YOU ſhall truly and faithfully perform and execute the Office and Duty that is directed and required by an Act of this Iſland, intituled, *An Act againſt covinous and fraudulent Conveyance; and for a publick Regiſtry in the Iſland of St.* Chriſtoper, *in regiſtring Deeds, Conveyances, and Wills within the ſame, ſo long as you ſhall continue in the ſaid Office.*

So help you God.

And that when and as often as the ſaid Regiſter ſhall appoint any Deputy to execute the ſaid Office, ſuch Deputy ſhall, before he enter upon the Execution thereof, take the ſaid Oath appointed to be taken by the ſaid Regiſter, before the ſaid Chief Governor, Lieutenant-governor, or Preſident of the Council, who are hereby impowered and required to adminiſter ſuch Oath: And that every Regiſter, at the Time of his being ſworn into the ſaid Office, ſhall alſo enter into a Recognizance, with two or more ſufficient Sureties, to be approved of by the ſaid Chief Governor, or Commander in chief for the Time being, and the Council and Aſſembly of the ſaid Iſland, before one of the Juſtices in the Court of King's-bench in the ſaid Iſland for the Time being, of the Penalty of Two thouſand Pounds, unto His Majeſty, His Heirs and Succeſſors, conditioned for his true and faithful Performance of his Duty in the Execution of his ſaid Office: And if any Perſon or Perſons ſhall or may happen to be aggrieved, or ſuffer any Wrong or Damage by the Regiſter for the Time being, or his Deputy, contrary to the true Intent and Meaning of this Act; ſuch Perſon or Perſons ſhall and may, in the King's Majeſty's Name, bring a Writ of *Scire facias* againſt the ſaid Regiſter, his Executors or Adminiſtrators, upon the aforeſaid Recognizance, returnable in the Court of King's-bench and Common-pleas in this Iſland; to which ſaid *Scire facias* the Regiſter, his Executors or Adminiſtrators, ſhall be obliged to plead, and come to Iſſue in the ſecond Court after the Date of ſuch Writ, otherwiſe Judgement ſhall be given againſt him or them, as by *Nihil dicit*; and then a Writ from the Chief Juſtice of the ſaid Court, or, in his Abſence, the next Juſtice in Commiſſion, ſhall be directed to the Provoſt-marſhal, or his lawful Deputy, to enquire, by twelve good and lawful Men of the ſaid Iſland, of the Damages ſuſtained by the Perſon or Perſons proſecuting ſuch Writ; and upon the Return of the ſame Inquiſition, Judgement ſhall be given for treble the Value of the Damages ſo found by ſuch Jury; which Damages, when

and give Security.

levied,

levied, ſhall go and be paid by the Provoſt-marſhal of the ſaid Iſland, or his lawful Deputy, to the Party ſo found to be grieved. 1727.

To attend from 7 to 12 o'Clock in the Forenoon.

X. AND be it further enacted by the Authority aforeſaid, That every ſuch Regiſter, or his ſufficient Deputy, ſhall give due Attendance at his Office every Day in the Week (except *Sundays* and Holy-days) between the Hours of Seven and Twelve in the Forenoon, for the Diſpatch of all Buſineſs belonging to the ſaid Office; and that every ſuch Regiſter, or his Deputy, as often as required, ſhall make Searches concerning all Deeds, Conveyances, and Wills, that are regiſtred, as aforeſaid, and give Certificates concerning the ſame under his Hand, if required by any Perſon.

Penalty on Regiſter's Neglect of Duty.

XI. AND be it further enacted by the Authority aforeſaid, That if any ſuch Regiſter, or his Deputy, ſhall enter or regiſter any Deeds or Conveyances which ſhall or may affect any Lands, Tenements, Hereditaments, Negroes, or other Slaves within this Iſland, before the ſame ſhall be acknowledged or proved in Manner as before in this Act is directed; or ſhall neglect to perform his or their Duty in the Execution of the ſaid Office, according to the Rules and Directions in this Act mentioned; or commit, or ſuffer to be committed any undue or fraudulent Practice in the Execution of the ſaid Office, and be thereof lawfully convicted; then the ſaid Regiſter ſhall forfeit his ſaid Office, and pay treble Damages to every ſuch Perſon or Perſons as ſhall be injured thereby; to be recovered by ſuch Writ of *Scire facias*, as aforeſaid, to be brought upon the aforeſaid Recognizance; and in caſe ſuch Recognizance ſhall fall ſhort of the Damages ſo ſuſtained by ſuch Perſon or Perſons, that then ſuch Perſon or Perſons ſhall and may recover the Reſidue of his or their Damages againſt ſuch Regiſter, his Executors or Adminiſtrators, by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record within the ſaid Iſland, wherein no Eſſoign, Protection, Privilege, or Wager of Law ſhall be allowed, or any more than one Imparlance.

Proviſo.

XII. PROVIDED nevertheleſs, and it is hereby enacted and declared, That if any Perſon or Perſons, appointed or to be appointed Regiſter, by virtue of this Act, ſhall happen to die, or do, or ſhall ſurrender the ſaid Office; that then, and in ſuch Caſe, if no Miſbehaviour appear in ſuch Regiſter, in the Execution of his ſaid Office, within two Years after ſuch Death or Surrender, the Recognizance ſo to be entred into by ſuch Regiſter, ſhall from thenceforth ceaſe, determine, and be abſolutely void, to all Intents and Purpoſes whatſoever, as if the ſame had never been entred into, acknowledged, or made; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Perſons ſupplying deceaſed Regiſter's Place, to take the Oaths, &c.

XIII. AND be it further enacted by the Authority aforeſaid, That the Perſon to be nominated, as aforeſaid, upon the Death of any Regiſter, to execute the ſaid Office during the Time the ſame ſhall be vacant, as aforeſaid, ſhall, before he enter upon the Execution thereof, take the Oath herein before appointed to be taken by ſuch Regiſter, and his Deputy, before the ſaid Chief Governor, Lieutenant-governor, or Preſident of the Council, who are hereby impowered to adminiſter the ſaid Oath; and that if any ſuch Perſon ſo nominated, ſhall be lawfully convicted of any Neglect, Miſdemeanor, or fraudulent Practice, in the Execution of the ſaid Office, during ſuch Vacancy, he ſhall be liable to pay treble Damages to every Perſon that ſhall be injured thereby; to be recovered as aforeſaid.

Clauſe relating to the Regiſtry of Wills.

XIV. PROVIDED always, and it is hereby enacted, That all Wills that ſhall be regiſtred in Manner as aforeſaid, within the Space of three Calendar Months after the Death of every reſpective Deviſor or Teſtator dying within this Iſland, or within the Space of two Years after the Death of every reſpective Deviſor or Teſtator, dying upon or in any Parts beyond the Seas, ſhall be as valid and effectual againſt ſubſequent Purchaſers, as if the ſame had been regiſtred immediately after the Death of every ſuch reſpective Deviſor or Teſtator; any

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thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Proviſo.

XV. PROVIDED always, That the Deviſee, or Perſon or Perſons intereſted in the Meſſuages, Lands, Tenements, Hereditaments, Negroes, or other Slaves, deviſed by any ſuch Will, as aforeſaid, by reaſon of the conteſting ſuch Will, or the Abſence of the Ordinary, or Deputy-ordinary, from the ſaid Iſland, or other inevitable Difficulty, without his or their wilful Neglect or Default, ſhall be diſabled to exhibit the ſaid Will for the Regiſtry thereof within the reſpective Times herein before limited; then, and in ſuch Caſe, the Regiſtry of the Will, within the Space of ſix Months next after his or their Attainment of ſuch Will, or Removal of the Impediments whereby he, ſhe, or they are diſabled or hindered to exhibit ſuch Writ, ſhall be a ſufficient Regiſtry within the Meaning of this Act; any thing herein contained to the contrary in any wiſe notwithſtanding.

Regiſter's Fees.

XVI. AND be it further enacted by the Authority aforeſaid, That every ſuch Regiſter ſhall be allowed for the Entry of every ſuch Deed, Conveyance, and Will, or any other Inſtrument of Writing whatſoever, that may or ſhall be regiſtred in the ſaid Office, or for Copies thereof when demanded, for every hundred Words, one Shilling and ſix Pence current Money; for ſearching the Regiſter Books for any Deed, Conveyance, or Will, or for each Inſtrument ſearched for, four Shillings and ſix Pence of like Money; for a Certificate of the regiſtring of any Deed, Conveyance, or Will, *&c.* four Shillings and ſix Pence of like Money.

Publick Act.

XVII. AND that this Act ſhall be taken and allowed in all Courts in this Iſland as a publick Act; and all Judges, Juſtices, and Juries are to take Notice thereof, without ſpecially pleading the ſame.

Proviſo.

XVIII. PROVIDED always, and it is nevertheleſs hereby declared, That nothing in this Act contained ſhall be of any Force or Effect whatſoever, until His Majeſty ſhall have ſignified and declared His Royal Aſſent thereto.

№ 70. *An Act for regulating Veſtries, and erecting into Pariſhes thoſe Parts of this Iſland formerly belonging to the* French; *and for annexing other Parts of the ſaid* French *Lands to the Pariſhes of St.* Mary Cayon, *St.* John Cabeſterre, *St.* Anne Sandy Point, *and* Trinity Palmeto Point: *And for repealing two Acts of this Iſland (one made in the tenth Year of the Reign of Her late Majeſty Queen* Anne, *and the other in the ninth Year of His late Majeſty King* George) *for regulating Veſtries in this Iſland; and for aſcertaining the Bounds of every reſpective Pariſh in this Iſland.*

WHEREAS, by the Treaty of Peace and Friendſhip concluded at *Utrecht* on or about the thirty firſt Day of *March*, One thouſand ſeven hundred and thirteen, between our late Sovereign Lady Queen *Anne*, and *Lewis* the Fourteenth, the late Moſt Chriſtian King, it was agreed (amongſt other

other things) That this whole Iſland ſhould be poſſeſſed for ever thereafter alone by *Britiſh* Subjects; ſince which Time, as well as by Conqueſt before, this whole Iſland became Part of the Domain of the Crown of *Great Britain*: And whereas an Act of this Iſland was made, and dated the ninth Day of *March*, One thouſand ſeven hundred and twenty two three, intituled, *An Act for regulating Veſtries, and for erecting into a Pariſh Part of the Quarter of this Iſland, called* Baſſeterre *Quarter, by the Name of the Pariſh of St.* George Baſſeterre; *and for repealing an Act of this Iſland,* intituled, *An Act for regulating Veſtries, paſſed in the tenth Year of Her late Majeſty's Reign; and for annexing other Parts of the ſaid Quarter to the reſpective Pariſhes of St.* Mary Cayon, *and* Trinity Palmeto Point: And alſo one other Act was made, and dated the twenty ſecond Day of *June*, One thouſand ſeven hundred and twenty four, intituled, *An Act for erecting into a Pariſh Part of the Quarter of this Iſland, called* Cabeſterre *Quarter, by the Name of the Pariſh of St.* Paul Cabeſterre; *and for enlarging the two Pariſhes of St.* Anne Sandy Point, *and of St.* John Cabeſterre, *within the ſaid Iſland*; which Act ſhould have Continuance, or be in Force no longer than until an Alienation, or other final Diſpoſition ſhould be made of the Lands in the ſaid Quarter, by His then Majeſty, His Heirs or Succeſſors: And whereas, by a Commiſſion from His late Majeſty King *George* the Firſt, dated at St. *James*'s the fourth Day of *June*, One thouſand ſeven hundred and twenty ſix, His ſaid late Majeſty was pleaſed to declare His Reſolution for the final Diſpoſal of that Part of His Domain, the late *French* Quarters of St. *Chriſtopher*'s; and thereby the aforeſaid recited Acts, which concern or relate to the ſaid Quarters of this Iſland, late *French*, are become void and expired: And whereas it is highly neceſſary, that the ſaid reſpective Parts of this Iſland, late *French*, ſhould be under the like Parochial Regulations, as the *Engliſh* Part; therefore we, Your Majeſty's moſt dutiful and loyal Subjects, the Commander in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher*, do moſt humbly pray Your Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Commander in chief, Council, and Aſſembly aforeſaid, and by the Authority of the ſame, That, from and after the Date of this Act, the aforementioned Act for regulating Veſtries, paſſed in the tenth Year of Her late Majeſty's Reign; and the aforementioned Act, paſſed the ninth Day of *March*, in the Year of our Lord One thouſand ſeven hundred and twenty two three, intituled, *An Act for regulating Veſtries, and for erecting into a Pariſh Part of the Quarter of this Iſland, called* Baſſeterre *Quarter, by the Name of St.* George Baſſeterre; *and for repealing an Act of this Iſland,* intituled, *An Act for regulating the Veſtries, paſſed in the tenth Year of Her late Majeſty's Reign; and for annexing other Parts of the ſaid Quarter to the reſpective Pariſhes of St.* Mary Cayon, *and* Trinity Palmeto Point; and the aforementioned Act, paſſed the twenty ſecond Day of *June*, One thouſand ſeven hundred and twenty four, intituled, *An Act for erecting into a Pariſh Part of the Quarter of this Iſland, called* Cabeſterre *Quarter, by the Name of the Pariſh of St.* Paul Cabeſterre; *and for enlarging the two Pariſhes of St.* Anne Sandy Point, *and St.* John Cabeſterre, *within the ſaid Iſland*, be, and are hereby declared repealed, annulled, and void.

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The Acts to *Ann.* & 9 *Geo.* I. relating to Veſtries repealed.

II. And be it, and it is hereby further enacted by the Authority aforeſaid, That, from and after the Date of this Act, the Whole of this Iſland ſhall be, and is hereby divided into nine Pariſhes; each of the ſaid Pariſhes to be named and bounded, as hereafter mentioned; that is to ſay, The Pariſh of St. *George Baſſeterre* to conſiſt of, and to contain all that *Eaſtward* Part of this Iſland, bounded as is herein after expreſſed or deſcribed; that is to ſay, From the Sea-ſide, where the Gutt called *Gillew*'s Gutt runs into the Sea, by a Line running *Northward* up the Waſh of the ſaid Gutt to the Top of the Mountains,

The Iſland divided into nine Pariſhes.

1727. Mountains, thence running *Eaſtwardly* along the Top of the ſaid Mountains, to take in the Plantation at preſent poſſeſſed by *Mathew Mills* Eſquire, and the Executors of *Richard Holmes* Eſquire, deceaſed, and ſo continuing ſtill *Eaſtwardly* along the dividing Line between the Plantation poſſeſſed by *Tobias Wall* Eſquire, and Mr. *George Taylor* junior, and ſo continuing *Eaſtwardly* on the Line dividing the Plantations in Poſſeſſion of Mr. *William Wooddley* ſenior, Mr. *Chriſtopher Stoddart*, Mr. *John Seaborn*, and *Peter Thomas* Eſquire, thence continuing in a ſtraight Line due *North* to the Sea-ſhore, thence along the ſaid Sea-ſhore, *Eaſtwardly* to the *North-weſt* Foot of Sir *Timothy*'s Hill, and thence along the Leewardmoſt Foot of the ſaid Hill to the Sea-ſhore, and thence to *Gillew*'s Gutt aforeſaid: The Pariſh of St. *Peter Baſſeterre* to conſiſt of, and to contain all that Part of this Iſland bounded to the *Southward* and *Eaſtward* with the Pariſh of St. *George Baſſeterre* aforeſaid; to the *Northward*, with the Sea-ſhore, including the Plantation in Poſſeſſion of *John Greatheed*, and *William* M^c *Dowall* Eſquires, ſo purſuing *Weſtwardly* the Bounds of the Lands in Poſſeſſion of the ſaid *William* M^c *Dowall*, and running by the dividing Lines which ſeparate the Plantations in Poſſeſſion of *Richard Halloran*, *Margaret Bridgwater*, and *Sarah Browne*, *Robert Cunyngham*, *John Spooner* Eſquires, and Mr. *Richard Wilſon*; to the *Northward*, from the Plantation in Poſſeſſion of Lady *Stapleton*, *Timothy Hare* Eſquire, *Thomas Bridgwater* Eſquire, Mrs. *Mary Simmonds*, and Mr. *Charles Lowndes*, and ſo along the Tops of the Mountains along the old *French* dividing Line, till it comes at the Head of the Plantations in Poſſeſſion of *Mathew Mills* Eſquire, to the Bounds of the Pariſh of St. *George Baſſeterre* aforeſaid: The Pariſh of St. *Mary Cayon* to conſiſt of, and contain all that Part of this Iſland bounded to the *Northward* with the Sea-ſhore; to the *Eaſtward*, with the Pariſh of St. *Peter Baſſeterre* aforeſaid; to the *Southward*, with the ſaid Pariſh of St. *Peter Baſſeterre*, on a Centre, *Eaſt* and *Weſt* Line, in the Mountains which divides it from the Pariſhes of St. *George Baſſeterre* aforeſaid, and *Trinity Palmeto Point*, hereafter mentioned; to the *Weſtward*, with the Gutt called *Soldiers* Gutt, from the Sea-ſhore, running up to the Foot of *Duport*'s Iſland, ſo along the ſaid Gutt to the Top of the Mountains, excluding the ſaid Iſland from this Pariſh: The Pariſh of *Chriſt Church Nichola Town* to conſiſt of, and contain all that Part of this Iſland bounded to the *Northward* with the Sea-ſhore; to the *Eaſtward*, with the Pariſh of St. *Mary Cayon* aforeſaid; to the *Southward*, with a Centre, *Eaſt* and *Weſt* Line, through the Mountains dividing this Pariſh from the Pariſh of St. *Thomas Middle Iſland*, herein after mentioned; and to the *Weſtward*, with St. *George*'s Gutt, from the Sea to *Bonana* Gutt, which divides *Taylor*'s Iſland, and *Bevon*'s Iſland: The Pariſh of St. *John Cabeſterre* to conſiſt of, and to contain all that Part of this Iſland bounded to the *Northward* with the Sea; to the *Eaſtward*, with the Pariſh of *Chriſt Church Nichola Town*; to the *Southward*, with an *Eaſt* and *Weſt* Centre Line through the Mountains, dividing this Pariſh from the Pariſh of St. *Thomas Middle Iſland*, and St. *Anne Sandy Point*, hereafter mentioned; and to the *Weſtward*, with a Line running from the ſaid Centre Line in the Mountains; *Northwardly*, to the Sea-ſhore, to include within this Pariſh the Plantations in Poſſeſſion of Major *Peter Buor*, Mr. *James Millard*, and the Plantation lately in Poſſeſſion of Colonel *John Hamilton*, deceaſed: The Pariſh of St. *Paul Cabeſterre* to conſiſt of, and to contain all that Part of this Iſland bounded to the *Northward* and *North-weſt*, with the Sea-ſhore; to the *Eaſtward* and *North-eaſt*, with the Pariſh of St. *John Cabeſterre*; to the *Southward*, with a Line running from the Centre Line in the Mountains aforeſaid, to the Sea-ſhore, including in this Pariſh the Plantations in Poſſeſſion of *Anthony Fatrie*, and *Aſhton Warner* Eſquires, and the Plantation of *Jeremiah Browne* Eſquire, whereon he now lives: The Pariſh of St. *Anne Sandy Point* to conſiſt of, and to contain all that Part of this Iſland bounded to the *Northward* and *Weſtward*, with the Pariſh of St. *Paul Cabeſterre* aforeſaid, and the Centre Line in the

Mountains

Mountains aforeſaid, which divides this Pariſh from the Pariſh of St. *John Cabeſterre* aforeſaid, and with the Sea-ſhore; to the *Southward*, with the Sea-ſhore; and to the *Eaſtward*, with *Sandy Point* Gutt: The Pariſh of St. *Thomas Middle Iſland* to conſiſt of, and contain all that Part of this Iſland bounded to the *Weſtward*, with the Pariſh of St. *Anne Sandy Point*; to the *Northward*, with the Centre Line in the Mountains aforeſaid, which divides this Pariſh from the Pariſh of *Chriſt Church Nichola Town* aforeſaid; to the *Southward*, with the Sea-ſhore; and to the *Eaſtward*, with *Stone*'s *Fort* Gutt, from the Sea to the Top of the Mountains, taking into this Pariſh all the Land in the Poſſeſſion of *John Garnett* Eſquire, and Mr. *John Maddox*, known by the Name of *Betts*'s Level: The Pariſh of *Trinity Palmeto Point* to conſiſt of, and contain all that Part of this Iſland bounded *Weſtward* with the Pariſh of St. *Thomas Middle Iſland*, aforeſaid; to the *Southward*, with the Sea-ſhore; to the *Eaſtward*, with the Pariſh of St. *George Baſſeterre*, aforeſaid; and to the *Northward*, with the Centre Line in the Mountains aforeſaid, which divides this Pariſh from the Pariſh of St. *Mary Cayon*, aforeſaid. 1727.

Veſtrymen and Church-wardens to be choſen yearly in *Eaſter-week*;

III. AND be it further enacted by the Authority aforeſaid, That all and every of the Freeholders and Houſholders within this Iſland ſhall repair to their reſpective Pariſh Churches, and for want of the ſame, to ſuch Place or Places as ſhall be appointed by the reſpective or neighbouring Juſtices of each Pariſh, or by Notice the *Sunday* before given in Church, during the Time of Divine Service, by the Miniſter, every Year ſucceſſively, ſome Day in *Eaſter-week*, and by free Votes elect ſix of the ableſt Freeholders or Houſholders in each Pariſh, to ſerve as Veſtrymen; who, with the Miniſter, ſhall then and there chooſe out of the remaining Pariſhioners aforeſaid, two fit Perſons to ſerve as Church-wardens, one to be elected or nominated by the Veſtry, the other by the Miniſter.

who are to manage all Pariſh Buſineſs.

IV. AND be it enacted by the Authority aforeſaid, That they the Veſtrymen and Church-wardens, or the major Part of them, have hereby full Power and Authority to manage all Buſineſs of the ſaid Pariſhes reſpectively, to ſettle Rules, and aſſeſs Rates, for the defraying Pariſh Charges, and to ſettle additional Salaries, and all the Fees and Perquiſites of the Miniſter, Clerk, and Sexton; and to build, erect, and repair Churches, out of the Fund ſo raiſed by them; and to diſcharge and perform all other Duties, in behalf of their ſaid Pariſh, belonging to their ſaid Offices, and the Truſt repoſed in them.

Juſtices to levy Rates upon the Goods of Perſons refuſing to pay the ſame.

V. PROVIDED always, That ſuch Rates, Fees, and additional Salaries, be not made or ſettled by them, to continue longer than during the Time which the Perſons ſo making the ſame ſhall continue in their reſpective Offices: And in caſe of any Perſon's refuſing to pay his Proportion of the ſaid Rates upon a reaſonable Demand, any two Juſtices of the Peace, upon Complaint thereof to be made by the Church-wardens, ſhall and may iſſue a Warrant under their Hands and Seals, directed to the Provoſt-marſhal, or his Deputy, commanding him to ſummon ſuch Perſon or Perſons to appear before them, at a certain Time and Place in ſuch Warrant to be appointed, to anſwer for ſuch his Refuſal; and in caſe ſuch Perſon or Perſons ſhall not appear according to ſuch Summons, or appear, and fail in making out that he, ſhe, or they hath or have paid his, her, or their full Proportion of the Rates or Aſſeſſments on him, her, or them to be laid, as aforeſaid; then the Juſtices aforeſaid ſhall iſſue a Warrant under their Hands and Seals, directed to the Provoſt-marſhal, or his Deputy, commanding him to levy the ſaid Rates or Aſſeſſments, or the Arrears thereof, which ſhall be proved to be due before ſuch Juſtices, by the Oath of the Church-warden, or other ſatisfactory Proof, on the Goods and Chattels of the Perſon or Perſons ſo refuſing; which ſaid Provoſt-marſhal, or his Deputy, is hereby required and enjoined to execute the ſame within ten Days after his receiving thereof; and whatſoever Goods ſhall be attached, as aforeſaid, at the Expiration of ten Days after the Attachment, ſhall be ſold at

1727. publick Outcry at the neareſt Town, by the ſaid Provoſt-marſhal, or his Deputy; and if there be any Overplus, the ſame ſhall be returned to the Owner thereof.

Perſons overrated, how to be relieved.

VI. PROVIDED nevertheleſs, that it is the true Intent and Meaning of this Act, That any Perſon or Perſons whatſoever, who ſhall think themſelves aggrieved, or unjuſtly dealt with, in the aſcertaining his or their Share or Proportion of ſuch Tax or Rate; the Perſon or Perſons ſo aggrieved may, at any Time within ſix Days after ſuch Goods ſhall be ſo attached, give Notice to the Church-wardens procuring the ſame, and making the Rate or Order for ſuch Aſſeſſment, that he intends to move the Court of King's-bench and Common-pleas in this Iſland at their next Sitting, to quaſh the ſame; which ſaid Court is hereby authorized and impowered to hear and examine the ſame, and to make ſuch Order therein as they ſhall think fit; and upon the ſaid Party's having entred into a Recognizance to the Church-wardens of the ſaid Pariſh, with one or more ſufficient Sureties, before any of the Juſtices of the ſaid Court, to abide by, and perform ſuch Order as ſhall be made by the ſaid Court, upon ſuch Notice, ſuch Juſtice ſhall and is hereby required to grant a *Superſedeas*, to be directed to the Provoſt-marſhal, or his Deputy, who has attached ſuch Goods, commanding him to ceaſe from any further proceeding in the Sale thereof, and to reſtore the ſame to the Parties from whom they were taken: And in caſe the Parties attached upon ſhall neglect to move the Matter to the ſaid Court at their next Sitting, or the Matter upon hearing thereof ſhall be adjudged againſt him, he ſhall be adjudged by the ſaid Court to pay to the Church-wardens double Coſts for his Vexation and Delay.

Penalty on Provoſt-marſhal's Neglect of Duty.

VII. AND be it further enacted by the Authority aforeſaid, That the Provoſt-marſhal, or his Deputy, refuſing or neglecting to do his Duty, as enjoined by this Act, ſhall forfeit the Sum of Five Pounds current Money of this Iſland; to be recovered by the Church-wardens in an Action of Debt, in any Court of Record in this Iſland, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed of: And all Fines and Forfeitures to be levied by virtue of this Act, ſhall be paid to the Church-wardens of each reſpective Pariſh for the Time being, who, by and with the Advice and Conſent of the reſpective Veſtries, ſhall apply the ſame towards defraying the publick Charges of the ſaid Pariſh.

All former Veſtry Acts repealed.

VIII. AND be it further enacted by the Authority aforeſaid, That any former Act or Acts for regulating Veſtries, be, and is and are hereby repealed.

Former Church-wardens confirmed in their Offices.

IX. AND whereas, for want of a Miniſter in ſeveral Pariſhes, Church-wardens and Veſtrymen have not been hitherto regularly choſen in *Eaſter-week*, and it may chance hereafter to be neglected on the like Occaſions; be it therefore enacted by the Authority aforeſaid, That all Church-wardens and Veſtrymen now acting as ſuch in their ſeveral Pariſhes, as well thoſe who were, as thoſe who were not choſen on *Monday* in *Eaſter-week*, be fully confirmed in all the Powers and Authorities granted by this Act, and continue to act as ſuch; and to collect all Levies and Aſſeſſments already laid or aſſeſt, until *Eaſter-week*, when a new Election ſhall be: And in caſe the Pariſhioners ſhall hereafter in *Eaſter-week* neglect to chooſe a new Veſtry, the Veſtry for the foregoing Year ſhall continue a Veſtry for the Year ſucceeding: And if a Miniſter ſhall be at any Time preſented to a Pariſh where there ſhall happen to be no Church-wardens and Veſtrymen ready choſen, and in default thereof on any other Occaſion; then ſhall all and every the Freeholders and Houſholders within the ſaid Pariſh, upon Notice or Summons to be given them, by Warrant of a Juſtice of Peace, forthwith proceed to the Election and Nomination of a Veſtry and Church-wardens; and the Perſons ſo choſen, ſhall remain in ſuch Office until the *Eaſter* after.

X. AND be it further enacted by the Authority aforeſaid, That in every Pariſh Church ſhall be kept two large bound Paper Books, for the publick

Service of the ſaid Pariſh; one whereof ſhall be kept for the Pariſh Accounts by the Church-wardens; the other, as a Regiſter for Chriſtnings, Marriages, and Funerals, to be kept in the ſaid Pariſh by the Miniſters only; and the Church-wardens are, and ſhall be obliged to deliver up and balance their Accounts with the Gentlemen of the Veſtry, at their being diſcharged of the ſaid Office, under the Penalty of Fifty Pounds current Money, to be levied and applied as herein before directed; and ſhall alſo at the ſame Time, and under the Penalty of One hundred Pounds (to be levied and applied as aforeſaid) deliver to their Succeſſors all the Pariſh Books, fair, intire, and undefaced, or as intire and undefaced as the ſame ſhall be when firſt delivered to, or received by them. 1727. Penalty on Church-wardens refuſing to deliver in their Accounts, &c.

XI. And be it further enacted by the Authority aforeſaid, That the Church-wardens of any Pariſh are and ſhall hereby be obliged to lay before the reſpective Veſtries their Accounts, as aforeſaid, if, and whenever thereunto required by the Veſtry, under the further Penalty of Fifty Pounds for each of them; to be levied and applied as herein before directed. To lay the ſame before the Veſtry, whenever required.

XII. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be compelled to ſerve as Church-warden longer than one Year ſucceſſively, from the Time of their being elected by a ſucceeding Election: And whatſoever Default ſhall be made by any Church-wardens, in collecting all and every the Rates and Aſſeſſments to be made by the reſpective Veſtries, by the Space of ſixty Days after the ſame ſhall become due and to be paid, the ſame ſhall be made good by them, or either of them ſo neglecting. Not compelled to ſerve longer than one Year.

XIII. And be it further enacted by the Authority aforeſaid, That every Parſon or Miniſter preſented to any Pariſh within this Iſland, ſhall and may, yearly and every Year, demand and receive from the Inhabitants of the ſaid Pariſh a Sum, or Quantity of Sugar not leſs than ſixteen thouſand Pounds of Sugar, and any further Sum hereby afore allowed to the ſeveral Veſtries to ſettle upon him. Miniſter's Salary,

XIV. And be it further enacted by the Authority aforeſaid, That every Parſon or Miniſter preſented to any Pariſh within this Iſland, ſhall and may, yearly and every Year, where no Parſonage Houſe is by the Pariſh built and provided, demand and receive in lieu thereof, from the Inhabitants of the ſaid Pariſh, a Sum not leſs than Twenty five Pounds current Money of this Iſland, or the Value thereof in Sugar, at the Price current, provided he reſides in the ſaid Pariſh. and Allowance for Houſe-rent, where there is no Parſonage Houſe.

XV. And be it further enacted by the Authority aforeſaid, That in caſe of Default of Payment to the Miniſter of any Pariſh within this Iſland, of the ſaid yearly Sum of ſixteen thouſand Pounds of Sugar, or twenty five Pounds aforeſaid, or any additional Salary, or of any Part thereof, for the Space of two Months after the ſame ſhall become due, to be ſettled by the reſpective Veſtries aforeſaid; it ſhall and may be lawful for two Juſtices of the Peace, upon Complaint to them made, to iſſue their Warrant under their Hands and Seals, directed to the Provoſt-marſhal of this Iſland, or his lawful Deputy, commanding him to ſummon the Church-warden or Church-wardens, who ought to collect and pay the ſame, to appear before them at a Time and Place therein to be ſpecified, to anſwer for ſuch Default of Payment; and in caſe the Church-wardens ſhall not appear on ſuch Summons, or on Appearance ſhall not make appear, that the Miniſter complaining is fully paid; and if the ſaid Church-wardens ſhall, or, without their wilful Default or Neglect, might have ſufficient in their Hands to pay the ſame; then it ſhall and may be lawful for two Juſtices of the Peace to iſſue their Warrant under their Hands and Seals, directed to the Provoſt-marſhal, or his lawful Deputy, thereby commanding him to levy on the Goods and Chattels of the ſaid Church-wardens ſuch Sum or Sums of Money, or Quantities of Sugar, as the Miniſter complaining ſhall, by his Oath, or other due Proof, make appear before the ſaid On Default of paying the ſame, Juſtices may diſtrain on the Churchwardens.

Juſtices

1727. Juſtices to be juſtly due to him, and in Arrear for Salary or Houſe-rent aforeſaid, and alſo for the Fees of ſuch Proſecution; which Warrant laſt mentioned the Provoſt-marſhal is hereby required to execute in ten Days after receipt thereof, and to ſell the Goods and Chattels thereby to be levied on, in ten Days after, at the neareſt Town, giving Notice thereof to the Perſon or Perſons levied on, and pay the Miniſter his Dues within ten Days after ſuch Sale, and the Fees of ſuch Proſecution, and then return the Overplus, if any, to the Perſon levied on, on pain of forfeiting Twenty Pounds to the Miniſter in ſuch Warrant named; to be recovered in any of His Majeſty's Courts of Record, by Bill, Plaint, or other Action, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed.

Proviſo. XVI. PROVIDED always, That if the ſaid Miniſter or Church-wardens ſhall think themſelves aggrieved by the Sentence or Order of the aforeſaid Juſtices, it ſhall and may be lawful for him or them to appeal to the Courts of King's-bench and Common-pleas, who are hereby impowered to hear and re-examine the ſame, and to make ſuch Order therein as they ſhall think fit.

Miniſter and Church-wardens to ſummon the Veſtrymen. XVII. AND be it further enacted by the Authority aforeſaid, That the Miniſter or Church-wardens, or either of them, have hereby full Power, as Occaſion ſhall require, to ſummon and convene at the Pariſh Churches, or Place appointed, as aforeſaid, the reſpective Veſtrymen, to debate and conſult about the Pariſh Affairs; and whatſoever Veſtryman, Church-warden, or other Officers required to appear, Notice being given at his or their Houſes, or in Church, as aforeſaid, ſhall fail to meet accordingly, ſuch Excuſe not being given or ſent as the Miniſter and Veſtry ſhall approve or allow of, ſhall forfeit Twenty Shillings; to be levied by Warrant of Diſtreſs from the next Juſtice of Peace, to be directed to the Provoſt-marſhal, or his Deputy, who, under the Penalty of Forty Shillings, is hereby enjoined within a reaſonable Time to execute the ſame; which Penalty ſhall be applied to the Uſe of the Poor of ſuch Pariſh, the ſaid Provoſt-marſhal, or his Deputy, to be allowed one third Part for his Trouble; and in caſe of Refuſal to pay the ſaid Fine, then the ſaid Veſtryman to be committed to the common Gaol by the ſaid Warrant, until he ſhall pay the ſame.

Penalty on Perſons refuſing to ſerve as Veſtrymen or Church-wardens, XVIII. AND be it further enacted by the Authority aforeſaid, That whatſoever Perſon ſhall duly be elected either for Veſtrymen or Church-wardens, and ſhall refuſe to ſerve in the ſaid Capacity, he or they ſo refuſing ſhall forfeit the Sum of Twelve Pounds current Money of this Iſland; to be recovered by the Church-wardens, in an Action of Debt in any Court of Record in this Iſland, which ſhall be for defraying of the publick Charge of the ſaid Pariſh, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed of.

and on Inhabitants refuſing to make a Return of their Stock, &c. when required. XIX. AND be it further enacted by the Authority aforeſaid, That any Inhabitant in any Pariſh neglecting or refuſing, when thereto required by any Juſtice of the Peace, to make a due Return upon Oath, according to the beſt of his Knowledge, of the Number of Slaves, or Quantity of Land by them poſſeſſed, by Direction of any Veſtry, for paying any Pariſh Levy; ſuch Inhabitant ſo neglecting or refuſing ſhall forfeit for each Refuſal or Neglect, the Sum of Ten Pounds current Money; to be levied by Warrant under the Hand and Seal of the ſaid Juſtice, directed to the Provoſt-marſhal, or his Deputy, in Manner as herein before directed.

Perſons ſued, may plead the General Iſſue. XX. AND be it, and it is hereby further enacted by the Authority aforeſaid, That all and every Officer and Officers, his and their Deputy or Deputies, Agents and Servants, and his and their Executors and Adminiſtrators, who ſhall be proſecuted at Law in any of His Majeſty's Courts in this Iſland, for doing or executing any Duty, Matter, or Thing required by this Act to be by him or them done or executed, ſhall and may have Liberty in ſuch Caſe to plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, and the

the Judges of the ſaid Courts in this Iſland are hereby enjoined and required to admit the ſame. 1727.

XXI. AND be it further enacted by the Authority aforeſaid, That every Miniſter in this Iſland ſhall duly enter into the bound Book to be delivered to them, as aforeſaid, all Chriſtnings, Marriages, and Funerals which ſhall happen in his reſpective Pariſh; for which he may have and demand a Fee of One Shilling and ſix Pence, and no more; on pain of forfeiting for each Neglect of ſuch Entry the Sum of Five Pounds; to be deducted out of the Salary due to the Miniſter ſo neglecting, by the Church-wardens of his Pariſh, and applied to the Uſe of the Poor of the ſame Pariſh. Regiſter of Chriſtnings, &c. to be kept in every Pariſh.

An Act to enable the ſeveral Parts of this Iſland, formerly belonging to the French, *to chooſe and ſend Repreſentatives to ſerve in the Aſſemblies of this Iſland; to declare and aſcertain the Number of Repreſentatives for the whole Iſland, what Number each Pariſh ſhall elect, and the ſeveral Qualifications of the Electors and Candidates; to ſecure the Freedom of Elections: And for repealing an Act of this Iſland (dated the thirteenth Day of* November, *One thouſand ſeven hundred and eleven)* intituled, *An Act for preſerving the Freedom of Elections, and appointing who ſhall be deemed Freeholders, and be capable of electing, or being elected Repreſentatives.* № 71.

WHEREAS, by Conqueſt of that Part of this Iſland formerly in Poſſion of the Subjects of the *French* King, and the Ceſſion thereof to the Crown of *Great Britain* by the Treaty of Peace and Friendſhip between our late Sovereign Lady Queen *Anne*, and *Lewis* the Fourteenth, the late Moſt Chriſtian King, concluded at *Utrecht* on or about the thirty firſt Day of *March*, in the Year of our Lord One thouſand ſeven hundred and thirteen, *Old Stile*, this whole Iſland became a Domain of the Imperial Crown of *Great Britain*: And whereas His Majeſty's Subjects, now inhabiting the late *French* Part of this Iſland, are equal, if not ſuperior to the Inhabitants of the *Engliſh* Part, both in Number and Property, and yield a greater Revenue to His Majeſty, and contribute more largely to the Taxes, and other publick Expences of this Iſland; it is therefore but juſt and reaſonable that they ſhould have a Share in the Legiſlature of the Iſland, and the Privilege of chooſing an equal Number of Repreſentatives in the Aſſembly: And His late Majeſty King *George* the Firſt having been pleaſed, by His Commiſſion, dated at St. *James*'s the fourth Day of *June*, One thouſand ſeven hundred and twenty ſix, to declare His Reſolution for the final Diſpoſal of the ſaid Parts of this Iſland, late belonging to the *French*; therefore we, Your Majeſty's moſt dutiful and loyal Subjects,

1727. the Commander in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of this Your Iſland of St. *Chriſtopher*, do moſt humbly pray that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, and by and with the Advice and Conſent of the Commander in chief, the Council and Aſſembly aforeſaid, and by the Authority of the ſame, That after the Expiration or Diſſolution of this preſent Aſſembly, an Act of this Iſland, intituled, *An Act for preſerving the Freedom of Elections; and appointing who ſhall be deemed Freeholders, and be capable of electing, or being elected Repreſentatives* (dated the thirteenth Day of *November*, *Anno Domini*, One thouſand ſeven hundred and eleven) is, and ſtands hereby repealed and annulled.

Act relating to Elections, repealed.

Aſſemblies to conſiſt of 24 Members.

II. AND be it enacted by the Authority aforeſaid, That all future Aſſemblies of this Iſland ſhall conſiſt of four and twenty Repreſentatives, fifteen of which at leaſt ſhall be deemed a Houſe to do Buſineſs.

III. AND whereas by an Act of this Iſland (dated the twelfth Day of *December*, One thouſand ſeven hundred and twenty ſeven) intituled, *An Act for regulating Veſtries, and for erecting into Pariſhes thoſe Parts of this Iſland formerly belonging to the* French *King*; *for annexing other Parts of the ſaid* French *Lands to the Pariſhes of St.* Mary Cayon, *St.* John Cabeſterre, *St.* Anne Sandy Point, *and* Trinity Palmeto Point: *And for repealing two Acts of this Iſland* (one made in the tenth Year of Her late Majeſty's Reign, and the other in the ninth Year of the Reign of His late Majeſty King *George* the Firſt) *for regulating Veſtries in this Iſland, and for aſcertaining the Bounds of every reſpective Pariſh in this Iſland*, the whole Iſland is divided into Pariſhes, and the Bounds of the ſame are reſpectively aſcertained: Be it enacted, That the ſaid four and twenty Repreſentatives ſhall be ſent and choſen as follows; that is to ſay, The Electors of the Pariſh of St. *George Baſſeterre*, or the major Part of them, ſhall and may chooſe and ſend four Repreſentatives; the Electors of the Pariſh of St. *Peter Baſſeterre*, or the major Part of them, ſhall and may chooſe and ſend two Repreſentatives; the Electors of the Pariſh of St. *Mary Cayon*, or the major Part of them, ſhall and may chooſe and ſend three Repreſentatives; the Electors of the Pariſh of *Chriſt Church Nichola Town*, or the major Part of them, ſhall and may chooſe and ſend two Repreſentatives; the Electors of the Pariſh of St. *John Cabeſterre*, or the major Part of them, ſhall and may chooſe and ſend three Repreſentatives; the Electors of the Pariſh of St. *Paul Cabeſterre*, or the major Part of them, ſhall and may chooſe and ſend two Repreſentatives; the Electors of the Pariſh of St. *Anne Sandy Point*, or the major Part of them, ſhall and may chooſe and ſend three Repreſentatives; the Electors of the Pariſh of St. *Thomas Middle Iſland*, or the major Part of them, ſhall and may chooſe and ſend two Repreſentatives; and the Electors of the Pariſh of *Trinity Palmeto Point*, or the major Part of them, ſhall and may chooſe and ſend three Repreſentatives.

Repreſentatives how to be choſen.

Bounds of the ſeveral Towns aſcertained.

IV. AND be it further enacted by the Authority aforeſaid, That the Bounds of the ſeveral Towns of this Iſland are hereby aſcertained, and ſhall be as follows; that is to ſay, The Town of *Baſſeterre* ſhall be bounded to the *Eaſt*, with the Ditch of the old *French* Fort, and Lands already ſold by the ſaid Commiſſioners to *Jane* and *Archibald Hamin*, and Mr. *Richard Hawkſhaw*; to the *Northward*, with Lands already ſold by the ſaid Commiſſioners to the Reverend *William Audenon*, and the ſaid *Richard Hawkſhaw*; to the *Weſt*, with the *College* Gutt or Waſh, from the Land late in Poſſeſſion of *John Cade*, now at preſent in Poſſeſſion of the ſaid *Richard Hawkſhaw*, till it falls into the Sea; and to the *South*, with the Sea: The Town of *Old Road* bounded to the *Eaſt*, with the Windwardmoſt River; to the *North*, with the Plantation belonging to the Heirs of Colonel *Charles Mathew* deceaſed; to the *Weſt*, with the Leewardmoſt River; and to the *South*, with the Sea: The Town of *Sandy Point* bounded to the *Eaſt*, with the *Eaſtwardmoſt* Bounds of the Lands

late in Poſſeſſion of Mrs. *Suſanna Vanbell* deceaſed, and ſo running in a ſtraight Line to the Sea; to the *North*, with the upper common Path; to the *Weſt*, with the Gutt at the Foot of *Crab-hill*; and to the *South*, with the Sea. 1727.

Qualifications of Electors.

V. And be it further enacted by the Authority aforeſaid, That every white Man profeſſing the Chriſtian Religion, being a free and natural-born Subject of the Crown of *Great Britain*, or naturalized, or made a Denizen, and being a Proteſtant, having attained to the Age of one and twenty Years; that is to ſay, Who is actually ſeized or poſſeſſed of ten Acres of Land in Fee-ſimple or Fee-tail, for Term of his own Life, or Term of another's, or by or under any Contract or Contracts with the Commiſſioners aforeſaid, within any Pariſh of this Iſland, or of any Land in any of the ſaid Towns in this Iſland, having a Houſe, Store-houſe, or other Buildings erected thereon, of the clear yearly Value of ten Pounds *per Annum* at the leaſt, which Value ſhall be proved by the Oath of two credible Witneſſes, or by ſome Leaſe produced and proved by the Oath of one of the Witneſſes to the ſame, or the Oath of the Leſſee, if there preſent, ſhall be Electors, and are hereby declared capable of voting for, and electing Repreſentatives; that is to ſay, The Poſſeſſors of Land or Buildings, as aforeſaid, for the reſpective Pariſh or Pariſhes where ſuch Qualifications are ſituate.

Clauſe relating to Joint-tenants.

VI. And be it further enacted by the Authority aforeſaid, That if it ſhall happen there ſhall be two or more Joint-tenants, or Tenants in common, of a Parcel or certain Quantity of Land in any Pariſh of this Iſland, which Parcel of Land contains as many ten Acres, or more, as there are Joint-tenants, or Tenants in common, or which Houſe or Houſes, or other Buildings, ſhall be worth as many ten Pounds currency of this Iſland *per Annum*, as there are Joint-tenants, or Tenants in common, ſhall be deemed Electors, qualified to elect Repreſentatives, to all Intents, Conſtructions, and Purpoſes of this Act whatſoever: And no Perſon or Perſons, who ſhall not have for his Share ten Acres of Land, or in ſuch Houſe, Houſes, or other Buildings, to the Value of ten Pounds *per Annum*, ſhall be eſteemed a Freeholder or Voter, to any Conſtruction or Purpoſe of this Act whatſoever.

Candidates and Electors to be ſworn, if required.

VII. And be it further enacted by the Authority aforeſaid, That all and every Perſon, who at any Election ſhall be ſet up as a Candidate, or tender himſelf as a Voter, ſhall, if thereunto required by the Perſon taking the Poll, or any other Elector or Freeholder, anſwer on Oath (which the Perſon taking the Poll is hereby impowered and required to adminiſter) to all ſuch Queſtions touching his Freehold or Qualifications as ſhall be demanded of him by the Perſon taking the Poll, or any Freeholder or Elector preſent; and any Perſon refuſing ſo to do, ſhall be, and is hereby declared incapable and diſqualified for that Time of electing, or being elected: And alſo, every ſuch Perſon offering himſelf as a Voter, or named as a Candidate, who had never voted before in that Pariſh, ſhall produce the next laſt Deed, Inſtrument, Conveyance, or Will, by which his Qualifications are derived or claimed, or an authentick or Office-copy of the ſame; except ſuch Perſons who are hereby qualified to elect and be elected by virtue of Contracts with the ſaid Commiſſioners, who ſhall produce a Certificate of the Contract or Contracts, under which any Qualification is claimed by them, under the Hand of one of the ſaid Commiſſioners, or by the Oath of the ſaid Perſon; and any ſuch Perſon refuſing ſo, as aforeſaid, to prove his Freehold or Qualification reſpectively, ſhall be deemed incapable to vote, and incapable of being elected.

Titles to Eſtates to be proved before the Date of the Writ for electing Members;

VIII. And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever at any Election of Repreſentatives, ſhall be deemed a Freeholder, or qualified to elect, or be elected a Repreſentative, who ſhall produce any Will, Bill of Sale, or other Conveyance of Lands, or other Eſtate, whereby he claims to be a Freeholder, in order to prove his Freehold or Qualification, unleſs the ſame be acknowledged or proved before the Governor for the

1727. and Oath to be made, that the Perſon is in actual Poſſeſſion, &c.

the Time being, or ſome Juſtice of the Court of Common-pleas of this Iſland, and duly recorded, preceeding the Date of the Writ or Writs for electing Aſſemblymen; and who ſhall not, with the Perſon who ſold and conveyed the ſaid Freehold, provided the ſaid Perſon be then and there preſent, make Oath before the Perſon, to whom the Writ of electing Repreſentatives is directed (who is hereby authorized and required to adminiſter the ſame, if any Voter or Candidate preſent require it, or he himſelf ſhall think meet) That ſuch Deed or Deeds ſo produced by him, is and are, *bona fide*, a real and abſolute Deed or Deeds, according to the Purport thereof, without Covin or Fraud, and not made or executed unto him under Colour only, to make him capable to chooſe or be choſen a Repreſentative; and that he is in actual Poſſeſſion of the ſaid Land, Houſe, or other Buildings, and receives to his own Uſe all the Profits thereof, and is under no Promiſe or Obligation whatſoever to give up or ſurrender the ſaid Deed or Deeds, or the Lands or Tenements in the ſaid Deed or Deeds ſold or conveyed at any Time after he ſhall have voted or been elected; except nevertheleſs, ſuch Perſon or Perſons who claim to be Freeholders by any Deed or Deeds executed in *Great Britain* or *Ireland*, or other Foreign Part, provided the ſame be recorded in the Secretary's or Regiſter's Office in this Iſland; except ſuch alſo, who claim by any laſt Will and Teſtament duly proved and recorded in the Secretary's or Regiſter's Office of this Iſland: And the ſaid Perſon to whom the Writ is directed, is further hereby impowered and required to aſk ſuch other Queſtions upon Oath, concerning the Freehold and Qualification of any Perſon offering to elect, or ſtanding to be elected, of him or of the Perſon who ſold and conveyed the Freehold, or other Qualification, as to him ſhall ſeem meet, or ſhall be required by any Voter or Candidate preſent.

Perſons refuſing to take the ſaid Oath, debarred from voting, &c.

IX. AND be it further enacted, That if any Perſon offering to elect, or ſtanding to be elected, ſhall refuſe to take ſuch Oath, or to anſwer ſuch Queſtions, as aforeſaid, the ſaid Perſon ſo refuſing ſhall abſolutely be debarred from giving his Vote for electing, and from being elected a Repreſentative for that Time.

Writs to whom to be directed.

X. AND be it further enacted by the Authority aforeſaid, That all Writs for Elections of Aſſemblymen, ſhall be iſſued by the Governor, or Commander in chief for the Time being, by and with the Conſent of the Council, in the uſual Form, and directed to the ſeveral Members of His Majeſty's Council of this Iſland: And the Writs for taking the Votes at ſuch Elections, ſhall be iſſued and directed as follows: The Writs for chooſing Repreſentatives for the Pariſh of St. *George Baſſeterre*, ſhall be granted and directed to the Preſident of the Council of this Iſland for the Time being, or next eldeſt Counſellor, who ſhall be then reſiding in this Iſland, and ſo ſucceſſively; the Writs for each Pariſh as they are named in this Act, ſhall be directed to each next Counſellor then reſiding in this Iſland; and in caſe of the Abſence, Sickneſs, or other Diſability of any of the ſaid Counſellors, that there be not nine Counſellors reſiding in this Iſland who ſhall be able to attend the ſaid Elections, then a ſecond Writ ſhall be ſeverally directed on the aforementioned Order, to as many of the eldeſt Counſellors as will be ſufficient to take the remaining Elections; and that all ſuch Writs ſhall be iſſued forth at leaſt ſeven Days before the firſt Day of Election; and that the Electors reſiding in each reſpective Pariſh, ſhall have three Days Notice before each reſpective Election Day; and that each and every Member of the Council, to whom the Writs are directed for taking the Poll for electing Repreſentatives, ſhall attend the Lieutenant-governor, or Preſident of the Council for the Time being, ſome time before the Day of Election, and ſhall make Oath before him, which he is hereby directed to adminiſter, That he will make a true and juſt Return of the Repreſentatives choſen for the Pariſh or Pariſhes, of which he is directed to take the Poll, according to the Rules and Limitations preſcribed in this Act,

Returning Officers to be ſworn.

to

to the beſt of his Conſcience and Judgement: And for the more effectual preventing Diſputes or Miſtakes in taking the Votes, the reſpective Perſons to whom the Writs ſhall be directed, ſhall, in Paper of Columns, ſet down the Names of the ſeveral Candidates propoſed to be voted for, and ſhall cauſe each Voter, or ſome Perſon for him, to ſubſcribe his Name under the Perſons Names voted for; which Paper of Votes ſhall be delivered to the Repreſentatives at their firſt meeting as an Aſſembly. 1727.

Qualifications of Repreſentatives.

XI. AND be it further enacted by the Authority aforeſaid, That every white Man profeſſing the Chriſtian Religion, being a free and natural-born Subject of the Crown of *Great Britain*, or naturalized, or made a Denizen, who has attained to the Age of one and twenty Years, and is actually ſeized or poſſeſſed of forty Acres of Land, or a Houſe or Houſes in any Town of this Iſland, of the Value of forty Pounds *per Annum*, in Fee-ſimple or Fee-tail, for Term of his own Life, or Term of another's, or by or under a Contract with the Commiſſioners, as aforeſaid, within any Pariſh of this Iſland, or the Son or Heir apparent of a Perſon poſſeſſed of eighty Acres, or a Houſe or Houſes of eighty Pounds *per Annum*, ſhall be deemed capable of being elected a Repreſentative to ſerve in the Aſſembly of this Iſland, and no other Perſon whatſoever, not being ſo qualified, as aforeſaid.

Perſons incapable of being Members.

XII. AND be it further enacted by the Authority aforeſaid, That hereafter no Chief Juſtice of the Court of King's-bench and Common-pleas, or Chief Baron of the Exchequer; no Secretary, or his Deputy; no Provoſt-marſhal, or his Deputy; no Treaſurer, or other Officer concerned or employed in the collecting, levying, or managing the Taxes, Subſidies, and Duties to be hereafter raiſed, levied, or impoſed by this, or any ſubſequent Aſſembly of this Iſland, ſhall be capable of ſitting, voting, or acting as a Member of the Aſſembly of this Iſland: And none of the Officers aforeſaid ſhall, by Word, Meſſage, or Writing, or in any other Manner endeavour to perſuade any Elector to give, or diſſuade any Elector from giving his Vote for the Choice of any Perſon to be a Repreſentative in the Aſſembly of this Iſland; and every of the ſaid Officers offending therein, ſhall forfeit the Sum of One hundred Pounds; one Moiety to the Informer, the other Moiety to the Poor of the Pariſh where ſuch Offence ſhall be committed; to be recovered by any Perſon that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record in this Iſland, in which no Eſſoign, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed: And if any Perſon diſabled, or declared by this Act incapable to be elected, or to ſit and vote as a Member of the Aſſembly, ſhall preſume to ſit and vote in that Houſe; ſuch Perſon ſo ſitting and voting, ſhall forfeit the Sum of One hundred Pounds; to be recovered by ſuch Perſon as ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, as aforeſaid.

No 2 Pariſhes to elect Repreſentatives the ſame Day.

XIII. AND be it further enacted by the Authority aforeſaid, That upon calling an Aſſembly, no two Diviſions or Pariſhes ſhall chooſe or elect Repreſentatives in one and the ſame Day; but that the Elections ſhall begin at the Pariſh of St. *George Baſſeterre* between the Hours of eight and nine in the Forenoon, and ſhall continue without Interruption till the Votes ſhall be ſhut up and finiſhed, which ſhall not be before the Hour of twelve at Noon at ſooneſt; and ſo the Electors of the Pariſhes of St. *Peter Baſſeterre*, St. *Mary Cayon*, *Chriſt Church Nichola Town*, St. *John Cabeſterre*, St. *Paul Cabeſterre*, St. *Anne Sandy Point*, St. *Thomas Middle Iſland*, and *Trinity Palmeto Point*, ſhall ſucceſſively, Day after Day (*Sundays* excepted) and at the Hours aforeſaid, convene at ſome convenient Place within their reſpective Pariſhes, to elect Repreſentatives for the ſame in the Aſſembly of this Iſland, as aforeſaid.

Perſons qualified to repreſent one Pariſh may be choſen for another.

XIV. AND be it further enacted by the Authority aforeſaid, That whoſoever has a ſufficient Qualification to be elected a Repreſentative, as aforeſaid, in any one Pariſh of this Iſland, may be elected to ſerve as a Repreſentative for

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for any other Pariſh, although not actually qualified, as aforeſaid, within the ſame: And if any Perſon returned a Repreſentative, ſhall refuſe to take the Oaths of Parliament, and ſubſcribe the Declaration likewiſe appointed by Act of Parliament, which Oaths and Declarations are alſo required by His Majeſty, in His Commiſſion to His Chief Governor, to be taken and ſubſcribed by every Perſon choſen to ſerve in the Aſſembly of this Iſland; the Perſon refuſing to take and ſubſcribe the ſaid Oaths and Declarations, is declared hereby incapable of electing, or being elected a Member to ſerve in the Aſſembly of this Iſland; which Oaths and Subſcription the Officer taking the Votes at any Election of Members to ſerve in the Aſſembly, at the Requeſt of any one of the Candidates or Voters, is hereby impowered and required to adminiſter: And in caſe any Member of the Aſſembly die, or is abſent from this Iſland for upwards of ſixty Days, without Leave of the Houſe, then the Chief Governor, or Commander in chief for the Time being, with the Advice and Conſent of the Council, ſhall, within twenty Days after ſuch Refuſal, Death, or Abſence, as aforeſaid, iſſue forth a new Writ, as before in this Act is appointed, for chooſing another Perſon to ſerve in that Aſſembly, in the Place of ſuch Member ſo refuſing, dead, or abſent, as aforeſaid.

Perſons elected refuſing to take the Oaths, &c. incapacitated.

Penalty on Perſons violating the Freedom of Elections.

XV. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhould preſume to violate the Freedom of Elections, by any falſe Returns, Menaces, or Threats, or endeavour to force any Elector or Voter to vote for any Perſon or Perſons againſt his own Inclination and Conſcience, either by calling the Inhabitants into Arms, by making pretended Freeholders, only for the Purpoſe of electing, or being elected; or hire, or, by any other indirect Ways, procure any Vote; or who, after the Election is over, ſhall menace, deſpitefully uſe, or abuſe any Freeholder, becauſe he has not voted as he would have had him; or if any Military Officer, or Civil Magiſtrate ſhall, by virtue of his Power and Office, endeavour or attempt to over-awe or affright any Freeholder to vote contrary to his own Conſcience and Inclination, the Perſon or Perſons offending in any of the aforeſaid Inſtances, ſhall forfeit the Sum of One hundred Pounds; one Moiety to the Informer, the other Moiety to be paid to the Treaſurer of this Iſland, for the Uſe of His Majeſty's Fortifications; to be recovered by any Perſon that ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record in this Iſland, in which no Eſſoign, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed.

Aſſemblies not to continue above a Year.

XVI. And to prevent perpetuating Aſſemblies, and the Inconveniencies that may ariſe thereby; be it further enacted by the Authority aforeſaid, That this preſent Aſſembly, or any future Aſſembly to be held within this Iſland, ſhall be, and continue no longer than one whole Year from the Time of their firſt meeting as an Aſſembly, on any Colour, Suggeſtion, or Pretence whatſoever.

Diſputes about Elections, how to be determined.

XVII. And in caſe any Differences or Diſputes ſhall happen to ariſe about the Elections or Qualifications of Repreſentatives; be it further enacted by the Authority aforeſaid, That for the future, the Truth and Legality of Elections and Qualifications of any Member or Members choſen to ſerve in the Aſſembly of this Iſland, ſhall be tried only by the Repreſentatives themſelves; and the Members of the Aſſembly ſhall, by Plurality of Voices, decide all ſuch Diſputes and controverted Elections, according to the Rights and Privileges of the Repreſentatives of the Honourable Houſe of Commons in *Great Britain*, ſo far as the ſame ſhall be conſiſtent with the Qualifications and other Matters herein before enacted; and that no Practice or Proceeding to the contrary hereof had or done, ſhall be drawn into Example or Precedent, to the Prejudice of the People of this Iſland.

An

1727.

An Act for repealing an Act of this Iſland, intituled, *An Act for the ſettling the Sum of Two thouſand Pounds* per Annum, *of current Money of the Iſland of St.* Chriſtopher, *during the Term therein mentioned, upon his Excellency* John Hart *Eſquire, the preſent Chief Governor of all His Majeſty's Leeward Carribbee Iſlands in* America, *for the more honourable Support of the ſaid Governor, and the Dignity of His Majeſty's Government; and for appropriating the Monies payable thereby to his ſaid Excellency, from the twenty fifth Day of* June, *One thouſand ſeven hundred and twenty ſeven: And for declaring in what* Specie *the Duty commonly called the* Three Shilling Duty, *ſhall be hereafter paid.* N° 75. Expired.

1728.

An Act for laying of certain Duties upon Sugars, Moloſſes, and other Goods of the Growth and Manufacture of the Iſland of St. Chriſtopher, *to be exported out of the ſaid Iſland.* N° 73. Expired.

An Act for the ſettling the Sum of Two thouſand Pounds per Annum, *of current Money of the Iſland of St.* Chriſtopher, *during the Term therein mentioned, upon his Excellency the Right Honourable* Thomas *Earl of* Londonderry, *the preſent Chief Governor of all His Majeſty's Leeward Carribbee Iſlands in* America, *for the more honourable Support of the ſaid Governor, and the Dignity of this His Majeſty's Government.* N° 74. Expired.

An

1728.

№ 75. Expired. *An Act for ſupplying a Defect in an Act paſſed in this preſent Year of His Majeſty's Reign,* intituled, *An Act for laying of certain Duties upon Sugars, Moloſſes, and other Goods of the Growth and Manufacture of the Iſland of St.* Chriſtopher, *to be exported out of the ſaid Iſland.*

№ 76. *An Act for raiſing a Tax on Negroes by the Poll, for and towards the erecting a Court-houſe, or publick Hall, and other neceſſary Offices, in the Town of* Baſſeterre, *in the Iſland of St.* Chriſtopher; *and to oblige the Secretary, and other Officers, to keep their Offices there, and give a due Attendance: And for repealing an Act made in the tenth Year of the Reign of His late Majeſty King* George *the Firſt,* intituled, *An Act for building a Court-houſe, or publick Hall, Secretary's, and other Offices, at the Town of* Old Road, *in the Iſland of St.* Chriſtopher; *and to oblige the Secretary, and other Officers, to keep their reſpective Offices in the ſaid Town.*

FORASMUCH as nothing can be more for the Honour of a Government, or has a greater Tendency to promote the Proſperity, Peace, and Welfare of a People, than that Juſtice ſhould be duly, fitly, and decently adminiſtred: And whereas, notwithſtanding it has been provided and enacted by an Act made in this Iſland, in the tenth Year of the Reign of His late Majeſty King *George* the firſt, intituled, *An Act for building a Court-houſe, or publick Hall, Secretary's, and other Offices, at the Town of* Old Road, *in the Iſland of St.* Chriſtopher; *and to oblige the Secretary, and other Officers, to keep their reſpective Offices in the ſaid Town,* That a publick Hall, or Court-houſe, ſhould be built, as well for the Courts of Juſtice, as for the Council and Aſſembly to meet and ſit in; yet, as by the ſame Act the ſaid Court-houſe was directed to be built at the Town of *Old Road,* it has proved of no Effect, by reaſon it is apparent, that the ſaid Town is too ſmall for the Reception of ſuch a Number of Perſons, as are uſually engaged in Attendance upon the Courts of Juſtice, and cannot provide fit and neceſſary Accommodation and Entertainment for them: And whereas the Town of *Baſſeterre* is become the moſt oppulent and beſt inhabited Town in this Iſland, and the chief Place of Trade and Buſineſs in it, and is like to be ſtill more enlarged, by the Sale and Diſpoſal of the late *French* Part of this Iſland, and will therefore be the moſt proper and convenient Place for ſuch a Building to be erected in: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of

St.

St. *Chriſtopher*'s, being willing that ſo neceſſary and laudable a Work ſhould not be any longer delayed, and deſirous, as much as in us lies, to conſult the Eaſe and Convenience of Your good Subjects in this Iſland, do humbly pray Your Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Chief Governor of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of St. *Chriſtopher*'s, That the ſaid Act ſhall be, and is hereby in all Things repealed, annulled, and made void: And that a Court-houſe, or publick Hall, of ſixty Feet in Length, and forty Feet in Breadth, ſhall be forthwith erected in the aforeſaid Town of *Baſſeterre*; the Walls whereof ſhall be built with Brick, except the Foundation, which ſhall be built with Stone; and the ſaid Walls ſhall be three Feet thick in the Foundation, and two Feet thick through the Reſidue of the Building, and twenty two Feet high; and in which ſaid Building there ſhall be provided and appointed proper and convenient Rooms and Appartments for the Council and Aſſembly to meet in, and for the Secretary, Regiſter, and Marſhal, to keep their reſpective Offices in, and all Books, Papers, and Records relating thereto. 1728.

A Court-houſe to be built at *Baſſeterre*.

II. AND be it further enacted by the Authority aforeſaid, That Your Majeſty's Courts of King's-bench, Common-pleas, and Exchequer in this Iſland, ſhall at all times hereafter ſit and be held at the ſaid Town of *Baſſeterre*, and in the publick Court-hall, as ſoon as the ſame ſhall be finiſhed and built, and not elſewhere; and that when the ſame ſhall be built, the ſaid Secretary, Regiſter, and Marſhal, ſhall then keep their reſpective Offices there, and all Books, Papers, and Records relating thereto, upon pain of forfeiting the Sum of Five hundred Pounds, in caſe they, or any of them ſhall neglect or refuſe ſo to do, within a convenient Time after Notice ſhall be given them by the Chief Governor, or, in caſe of his Abſence, by the Lieutenant-governor, or Preſident of the Council of this Iſland for the Time being, of ſuch Appartments being finiſhed, and reſpectively appointed for them.

Courts of Juſtice, and other publick Offices, to be kept there, and no where elſe.

III. AND be it, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Secretary, Regiſter, and Marſhal, ſhall, by themſelves, or their lawful Deputies, or by good, able, and ſufficient Clerks, by them to be provided for that Purpoſe, give due and punctual Attendance in their ſaid Offices reſpectively on every Day in the Year (*Sundays* and Holy-days only excepted) from the Hour of Eight in the Morning, till Twelve at Noon, and from the Hour of Three in the Afternoon, till the Hour of Six at Night, upon pain of forfeiting the Sum of Ten Pounds for every Neglect.

Time of Secretary and Regiſter's Attendance.

IV. AND for the raiſing a Fund ſufficient for the carrying on and finiſhing the ſaid Building, and for the purchaſing of Land in the ſaid Town of *Baſſeterre*, convenient for the ſame; be it, and it is hereby further enacted by the Authority aforeſaid, That there ſhall be levied, collected, and paid unto Your Majeſty, Your Heirs and Succeſſors, a Tax, or Duty of three Shillings *per* Poll, for every Negro, Mulatto, or *Indian* Slave within this Iſland; which ſaid Tax or Duty ſhall be paid by the reſpective Owners of ſuch Slaves, at ſuch Times, and in ſuch Manner as is herein after mentioned; that is to ſay, One Shilling *per* Poll, Part thereof, at or upon the twenty fifth Day of *March*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty; one Shilling more *per* Poll, other Part thereof, at or upon the twenty fifth Day of *March*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty one; and one Shilling *per* Poll, Reſidue thereof, at or upon the twenty fifth Day of *March*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty two; to be employed in, and applied to the building ſuch Court-houſe, or publick Hall, and other Offices, as aforeſaid, and to no other Uſe, Intent, or Purpoſe whatſoever.

Fund for building the Court houſe, how to be raiſed.

1728.

V. And to the end that a juſt Account may be had and taken of all and every the Slaves in the aforeſaid Iſland; be it, and it is hereby further enacted by the Authority aforeſaid, That all and every the Owners, Poſſeſſors, and Renters of Slaves; and, in caſe of the Abſence of ſuch Owners or Poſſeſſors, the Managers or Overſeers of ſuch Slaves ſhall, within a Month before each Time of Payment, deliver in unto the Church-wardens in each reſpective Pariſh wherein they reſide; and in caſe it ſhould ſo happen, that there ſhould be any Pariſh which ſhall at that Time be without Church-wardens, then to the next Juſtice of the Peace (who are hereby authorized, required, and appointed to receive and take, and likewiſe to return and deliver the ſame unto the Treaſurer of the ſaid Iſland for the Time being, within ten Days next after the taking thereof) a true and exact Liſt upon Oath, at ſuch Time and Place as the ſaid Church-wardens, by their ſeveral Precepts (to be directed to the Conſtables within their reſpective Pariſhes, who are hereby required to give Notice thereof to the ſeveral Inhabitants within the ſame) ſhall for that Purpoſe appoint, of all and every the Slaves owned or poſſeſſed by ſuch Owner, Poſſeſſor, or Renter, or in the Management, Care, or Overſeering of ſuch Manager or Overſeer at the Time of the Delivery of ſuch Liſt; which Oath the ſaid Church-wardens, or Juſtices of the Peace, and every of them, are and is hereby impowered, authorized, and required to adminiſter: And if any ſuch Owner, Poſſeſſor, or Renter, Manager, or Overſeer, ſhall neglect or refuſe to deliver in ſuch Liſt upon Oath, as aforeſaid; ſuch Perſon or Perſons ſo neglecting the ſame, ſhall forfeit and pay the Sum of Ten Pounds for every ſuch Neglect.

Owners, &c. to deliver in a Liſt of their Slaves upon Oath.

Penalty on Refuſal.

Treaſurer to collect the Taxes impoſed by this Act,

VI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Treaſurer of the ſaid Iſland for the Time being, and he is hereby impowered and authorized to demand, collect, and receive the ſeveral Rates and Taxes beforementioned in Manner aforeſaid, by this Act laid and impoſed: And if any Perſon or Perſons, upon reaſonable Requeſt to be made by the ſaid Treaſurer, his Agent, or Deputy, ſhall refuſe or neglect to pay the ſaid Rates and Taxes as the ſame ſhall become due, then the Provoſt-marſhal, or his Deputy, is hereby authorized and required, on receipt of a Warrant under the Hand and Seal of the ſaid Treaſurer, to him the ſaid Marſhal, or his Deputy, for that Purpoſe to be directed, forthwith to diſtrain on the Goods and Chattels of ſuch Perſon or Perſons, as aforeſaid, ſufficient to ſatisfy and pay whatſoever ſhall be due from ſuch Perſon or Perſons, for, or upon Account of the Rates and Taxes ſo impoſed, as aforeſaid, together with all Charges attending the ſame; which ſaid Goods and Chattels ſhall in ſix Days time be ſold by the ſaid Marſhal, or his Deputy, rendering the Overplus, if any ſhall be, to the Owner: Provided always, That ſuch Sale be made by the Marſhal, or his Deputy, publickly in the Town next to the Place where ſuch Diſtreſs ſhall be made (*Palmeto Point* Town only excepted) and in the Preſence of ſix Perſons at the leaſt; and if ſuch Perſon or Perſons hath or have not any ſuch Goods or Chattels ſufficient to pay the Rates, Taxes, and Impoſitions wherewith they, or any of them, ſhall be chargeable, or which they, or any of them, ought to pay by virtue of this Act; then the ſaid Marſhal, or his Deputy, ſhall take into his Cuſtody the Body or Bodies of ſuch Perſon or Perſons, and them in the common Gaol of the ſaid Iſland ſafely detain and keep, without Bail or Mainprize, until he, ſhe, or they ſhall have paid the ſame, and every Part thereof.

and on Default of Payment, may diſtrain, &c.

Tax to be paid in Sugar.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Tax ſo hereby laid and impoſed, ſhall and may be paid, and the Treaſurer of the ſaid Iſland is hereby directed to receive the ſame, in merchantable *Muſcovado* Sugar, at ſuch Price and Prices, as ſuch merchantable Sugar ſhall generally be received and paid in the ſaid Iſland during the Continuance of this Act: And that all Sugars which ſhall be paid by the ſaid Treaſurer out of

the

the ſaid Tax, ſhall be paid by him at the Price and Prices he ſhall ſo receive the ſame, and at no more; and that the Treaſurer for the Time being ſhall and may have and take to his own Uſe and Behoof out of the ſaid Tax, the Quantity of five Pounds of *Muſcovado* Sugar, for every hundred Pounds which ſhall be raiſed by virtue of this Act. 1728.

VIII. PROVIDED always, That it ſhall and may be lawful to and for the Captain-general, and Governor in chief of the ſaid Leeward Iſlands, and, in his Abſence, for the Lieutenant-governor, and, in his Abſence, for the Preſident of the Council, and the Council and Aſſembly of the ſaid Iſland for the Time being, to exempt from the Payment of the Taxes in and by this Act laid and impoſed, and every Part thereof, all ſuch poor Perſons as they ſhall conceive to be unable to bear the Burthen thereof; and all and every the Perſons which the ſaid Captain-general, and, in his Abſence, the ſaid Lieutenant-governor, and, in his Abſence, the ſaid Preſident, and the Council and Aſſembly, ſhall think fit to exempt from paying the ſaid Tax, are, and every of them is hereby, to all Intents and Purpoſes, acquitted, exonerated, and diſcharged of and from the Payment of the ſaid Taxes, and every or any Part thereof; any thing in this Act contained to the contrary in any wiſe notwithſtanding. Governor, &c. may exempt poor Perſons from paying.

IX. AND be it further enacted by the Authority aforeſaid, That every Church-warden, Juſtice of the Peace, and Conſtable, who ſhall refuſe or neglect to do and perform the Duties enjoined and required of him and them in and by this Act, ſhall forfeit and pay (that is to ſay) every Church-warden, and Juſtice of the Peace, the Sum of One hundred Pounds; and every Conſtable, the Sum of Ten Pounds, for every ſuch Offence: And that one Moiety of all and every the Penalties and Sums of Money herein before appointed to be forfeited, ſhall be forfeited unto the King's Majeſty, to be applied in and towards the building and keeping the ſaid Court-houſe in repair; and the other Moiety unto ſuch Perſon or Perſons as ſhall and will ſue for the ſame; and ſhall and may be ſued for in any Court of Record in this Iſland, and recovered by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoign, Protection, Privilege, or Wager of Law ſhall be allowed, nor any more than one Imparlance. Penalty on Church-wardens, &c. neglecting their Duty.

X. AND to the intent that all Monies to be lent to Your Majeſty upon the Credit of this Act by any Perſon or Perſons whatſoever, may be well and ſufficiently ſecured out of the Monies or Sugars ariſing, and payable thereby; be it further enacted by the Authority aforeſaid, That there ſhall be provided and kept in the Office of the Treaſurer of this Iſland, by the Treaſurer for the Time being, a Book of Regiſtry of all Orders to be made and ſigned by the Chief Governor, or, in his Abſence, by the Lieutenant-governor, or Preſident in Council for the Time being, for Payment of all ſuch Sums of Money as ſhall be lent and furniſhed to Your Majeſty upon the Credit of this preſent Act; as likewiſe for all other Orders made and ſigned, as aforeſaid, for the Payment or iſſuing of any Monies or Sugars ariſing, or payable by this Act to any Perſon or Perſons whatſoever, to the Uſes and Purpoſes herein beforementioned and intended; and that no Monies or Sugars ariſing by this Act, or furniſhed upon the Credit thereof, be iſſued out of the ſaid Treaſury, but by ſuch Order, mentioning, that the Monies or Sugars payable by the ſame, are for the Charge and Expence of erecting and building ſuch Court-houſe, or publick Hall, as aforeſaid, or for the Charge of collecting and bringing in of the Monies or Sugars ariſing by this Act; and that all the Orders beforementioned ſhall be regiſtred in Courſe according to their reſpective Dates, ſo as that the Perſon, his Executors, Adminiſtrators, or Aſſigns, who ſhall have his Order or Orders firſt entred in the ſaid Book of Regiſtry, ſhall be taken and accounted as the firſt Perſon to be paid out of the Monies or Sugars to come in by virtue of this Act; and he or they who ſhall have his or their Order or Orders next entred, ſhall be taken and accounted the ſecond Perſon to be A Regiſtry to be kept of all Orders for Payment of Money lent on Credit of this Act. To be regiſtred in Courſe.

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be paid, and ſo ſucceſſively, and in Courſe; and that the Monies or Sugars to come in by this Act, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Parties, their Executors, Adminiſtrators, or Aſſigns, ſucceſſively, without Preference of one before the other, and not otherwiſe, and not be divertible to any other Uſe, Intent, or Purpoſe, upon any Account or Reaſon whatſoever.

No undue Preference.

XI. AND to the end that fit and convenient Lands may be purchaſed in the ſaid Town of *Baſſeterre*, or near to the ſame, for the erecting ſuch Building upon, as aforeſaid; be it further enacted by the Authority aforeſaid, That the Treaſurer of the ſaid Iſland for the Time being ſhall and may, and is hereby authorized and impowered to contract and agree in his own Name with the Commiſſioners appointed by His Majeſty, for the Sale of the late *French* Lands in this Iſland, for the Purchaſe of the abſolute Fee-ſimple and Inheritance of any ſuch Lot or Parcel of Land in the ſaid Town of *Baſſeterre*, or near the ſame, for the Purpoſe aforeſaid, as ſhall be approved by the Chief Governor, or Commander in chief of Your Majeſty's ſaid Leeward Carribbee Iſlands in *America* for the Time being, ſo as the Money to be paid, or agreed to be paid for ſuch Purchaſe, do not exceed the Sum of one hundred Pounds Sterling; which ſaid Sum of one hundred Pounds ſhall be paid by the Treaſurer of this Iſland for the Time being, out of the firſt Monies that ſhall come in by virtue of this Act, unleſs it ſhall be thought fit by Your Majeſty to releaſe the Payment thereof, and to acquit and diſcharge the ſaid Treaſurer, his Heirs, Executors, and Adminiſtrators, therefrom: And that when, and as ſoon as the ſaid Treaſurer ſhall have contracted and agreed for ſuch Lands, or as ſoon as the Fee-ſimple thereof ſhall, by any Grant, Patent, or other Conveyance, be conveyed to him, he the ſaid Treaſurer ſhall, by ſome Deed or Inſtrument in Writing under his Hand and Seal, declare, that ſuch Lands ſo by him purchaſed, were purchaſed in Truſt for His Majeſty, and by virtue of this Act, and to the Intent that ſuch Court-houſe, or publick Hall, as aforeſaid, might be built thereupon; and that the Monies paid, and agreed to be paid for the Purchaſe thereof, were not the proper Monies of him the ſaid Treaſurer, but was paid out of the Monies ariſing by this Act; and that he the ſaid Treaſurer ſhall and will, when thereunto required by the ſaid Chief Governor of the ſaid Leeward Carribbee Iſlands for the Time being, grant, convey, and aſſure all his Right, Title, and Intereſt therein unto His Majeſty, His Heirs and Succeſſors, for the Uſes, Intents, and Purpoſes aforeſaid.

Treaſurer to contract for Lands to build the ſaid Court-houſe upon.

XII. AND be it further enacted by the Authority aforeſaid, That the Captain-general, or Commander in chief of the ſaid Leeward Carribbee Iſlands for the Time being, ſhall and may from Time to Time nominate and appoint one or more Perſon or Perſons to manage, order, direct, and ſuperviſe the building ſuch Court-houſe, as aforeſaid, who ſhall take care and provide that the ſame be conveniently and decently done, according to the Dimenſions herein before directed; and that proper Offices be ſet apart therein for the ſaid Secretary, Regiſter, and Marſhal; and who for that Purpoſe ſhall and may buy Lime, Bricks, and Timber, and other Materials, and alſo agree with, and employ Maſons, Bricklayers, and Carpenters, and other Artificers, Workmen, and Labourers, for the carrying on and finiſhing the ſaid Building.

Commander in chief to appoint Perſons to ſuperviſe the Building, &c.

XIII. AND be it further enacted by the Authority aforeſaid, That in every Action, Suit, Indictment, Information, or Proſecution, wherein or whereby the Treaſurer, or any other Perſon or Perſons which ſhall be by him appointed; or any Perſon or Perſons who, by virtue of this Act, is, are, or ſhall be impowered or authorized to put the ſame in Execution; or any others acting in Aid of them, ſhall be ſued, indicted, proſecuted, or moleſted, it ſhall be lawful for all and every the ſaid Perſons, their Heirs, Executors, and Adminiſtrators, to plead the General Iſſue, and to give this Act in Evidence in any Court or Courts of Juſtice where the ſaid Matter ſhall be depending; and all the

Perſons ſued, may plead the General Iſſue.

the Judges of the ſaid Courts are hereby ſtrictly enjoined and required to admit the ſame, and to acquit and indemnify them, and every of them, of and from all ſuch Suits, Indictments, Informations, and Proſecutions, for and concerning any Matter or Thing acted or done in the due and neceſſary Performance and Execution of their reſpective Truſts and Employments therein. 1728.

XIV. PROVIDED always, and it is hereby enacted and declared, That nothing in this Act contained ſhall be of any Force or Effect whatſoever, until the King's Majeſty ſhall have ſignified and declared his Royal Aſſent thereto. Proviſo.

An Act for raiſing a Tax on Negroes, and other Slaves within this Iſland, and on the Value of Houſe-rents in the ſeveral Towns within the ſame, for building a Wall to complete Charles *Fort, and for repairing the ſame Fort, and the other Fortifications, Forts, and Batteries of this Iſland.* № 77. Expired.

An Act for eſtabliſhing a Market at the Town of Baſſeterre, Old Road, Sandy Point, *and* Deep Bay, *in the Iſland of St.* Chriſtopher; *and for regulating and aſcertaining the Prices of Beef, Mutton, Veal, Pork, and Turtle.* № 78.

WHEREAS the eſtabliſhing a Market at the Towns of *Baſſeterre, Old Road, Sandy Point,* and *Deep Bay,* for killing Bullocks, Cows, Heifers, Sheep, Calves, Hogs, and Turtle, under proper and neceſſary Regulations, will greatly contribute to the Advantage and Benefit of Your Majeſty's Subjects, the Inhabitants of this Iſland: We therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Captain-general of all Your Majeſty's Leeward Carribbee Iſlands in *America*, the Council and Aſſembly of this Iſland, pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Captain-general of Your Majeſty's Leeward Carribbee Iſlands in *America*, the Council and Aſſembly of St. *Chriſtopher*'s, and by the

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Authority of the ſame, That from and after the Date of this Act, there ſhall be held and kept at the ſaid ſeveral Towns of *Baſſeterre*, *Sandy Point*, *Old Road*, and *Deep Bay*, on *Tueſdays*, *Thurſdays*, and *Saturdays* in every Week, a Market for killing all Bullocks, Cows, Heifers, Sheep, Calves, Hogs, and Turtle, and for ſelling all Beef, Mutton, Veal, Pork, or Turtle, which ſhall be brought to Market to any of the ſaid Towns, under the ſeveral Regulations, Reſtrictions, Penalties, and Forfeitures in this Act contained.

A Market to be kept at *Baſſeterre*, &c. 3 times a Week.

II. And be it further enacted by the Authority aforeſaid, That all Bullocks, Cows, Heifers, Calves, Sheep, Hogs, or any Beef, Mutton, Veal, Pork, or Turtle, which ſhall be brought to any of the Markets in any of the ſaid Towns to be killed or ſold, ſhall be delivered to the Perſon or Perſons who ſhall be appointed by the Commander in chief for the Time being, to be Clerk or Clerks of the Market; and the ſaid Perſon or Perſons ſo appointed, are hereby obliged to receive the ſame, and be accountable to the Owner or Owners thereof, at the following, and no greater or leſſer Prices; *viz.* For every Pound of Beef, ſeven Pence halfpeny, and ſo in proportion for a greater or leſſer Quantity, excepting Legs, Shins, and Necks, which are not to exceed four Pence halfpeny *per* Pound; and for every Pound of Mutton, Veal, or Pig-pork, nine Pence *per* Pound; and every Pound of Pork exceeding ten Pounds a Quarter, ſeven Pence halfpeny *per* Pound, and ſo in proportion for a greater or leſſer Quantity; and for a Calopee of Turtle, four Pence halfpeny *per* Pound; and all other Turtle, not to exceed ſix Pence *per* Pound: And in caſe any Perſon or Perſons ſhall bring or ſend to Market, at any of the aforeſaid Towns, Beef, Mutton, Veal, Pork, or Turtle, which is lean, poor, or not fit for Sale; the ſaid Perſon or Perſons appointed to be Clerk or Clerks of the Market, ſhall call two of the principal Inhabitants of any of the ſaid Towns where the ſame ſhall happen to be brought, and if they find the ſame lean, and not fit for Uſe, or if they have Reaſon to ſuſpect that the ſame has died by Accident, or otherwiſe, they ſhall certify the ſame to the ſaid Clerk of the Market, and he ſhall cauſe ſuch Meat to be burnt, and the Owner ſhall loſe the ſame, and pay the Charges of ſurveying and burning; and ſuch Certificate ſhall indemnify the Clerk of the Market againſt any Claim and Demand from the Owner, for or in Reſpect of the ſame.

Cattle and Meat brought to Market, to be delivered to the Clerk of the Market.

Prices of Meat aſcertained.

Meat not fit for Sale, to be burnt.

III. And be it further enacted by the Authority aforeſaid, That the Clerk or Clerks of the Market ſhall attend, and the Market ſhall begin at Seven of the Clock in the Morning, for ſelling: And the Clerk in each Town ſhall provide a Bell, which he ſhall cauſe to be rung, to give Notice that the Market begins; and they ſhall not preſume to ſell any Meat before the ſaid Hour of Seven in the Morning; and they the Clerk or Clerks of the Market are hereby obliged and required to ſell to any Perſon or Perſons who brings and puts down their Money firſt on the Stall, ſuch Piece or Pieces as they ſhall demand, not exceeding thirty Pounds of Beef, or one Joint of Veal, Mutton, or Pork, or thirty Pounds of Turtle: Provided nevertheleſs, That the Captain-general, or Commander in chief, or Governor of this Iſland for the Time being, ſhall and may have ſuch Pieces as they ſhall ſend for to the ſaid Clerks of the Market; and for which Pieces and Quantities of Beef, Mutton, Veal, Pork, and Turtle, every Perſon and Perſons having the ſame, are to pay for to the Clerk of the Market where the ſame ſhall be ſold, or the Owner thereof, the following Rates and Prices, and no greater; *viz.* For every Pound of Beef, ſeven Pence halfpeny; for every Pound of Veal, Mutton, and Pig-pork, nine Pence; and for every Pound of large Pork, ſeven Pence halfpeny, and ſo in proportion for a greater or leſſer Quantity of each; excepting, as before, Shins, Legs, and Necks of Beef, which are not to exceed four Pence halfpeny *per* Pound; Calopee of Turtle, at four Pence halfpeny, all other Parts of Turtle not to exceed ſix Pence *per* Pound; and no Veal to be deemed or ſold as ſuch, without the Approbation of the Clerk of the Market: And

Market to begin at 7 o'Clock in the Morning.

the

the ſaid Clerk or Clerks of the Market are hereby obliged and required to pay the Owner or Owners of ſuch Beef, Mutton, Veal, Pork, or Turtle, as ſhall be brought to Market, and ſold at the ſaid ſeveral Rates and Prices before-mentioned, provided the Owner of the ſame does not collect the Money; and in caſe the ſaid Clerk or Clerks of the Market ſhall make Default in paying the Owner or Owners in ſix Days after the ſame is brought to Market, and ſold, upon Complaint made to any two Juſtices of the Peace for this Iſland, and Proof thereof made upon Oath, they the ſaid Juſtices are hereby required to iſſue out their Warrant under their Hands and Seals, directed to the Provoſt-marſhal, or his lawful Deputy, to levy on the Goods and Chattels of the ſaid Clerk or Clerks of the Market, ſufficient to pay the ſaid Debt and Coſts; and in caſe the ſaid Clerk or Clerks of the Market have not Goods ſufficient, then the Provoſt-marſhal is hereby required to levy the ſame on the Goods and Chattels of their Securities; and they the ſaid Clerk or Clerks of the Market are hereby obliged and required, before they enter upon the Execution of their Office, to give in ſufficient Security, ſuch as ſhall be approved by any two of the Juſtices of His Majeſty's Courts of King's-bench and Common-pleas for this Iſland, well and truly to execute the ſaid Office. 1728. Clerks to give Security for the due Execution of their Office.

IV. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall preſume to ſell any Meat in any of the aforeſaid Towns, but in the open Market, and under the Regulations and Reſtrictions aforeſaid: And any Perſon or Perſons who ſhall ſend Meat to Market on any other than Market-days, ſhall be under the ſame Regulations and Reſtrictions, as on Market-days: And no Butcher, Tavern-keeper, or Victualler, ſhall preſume to give, lend, or exchange any Meat, under the Penalty of Three Pounds current Money; but all other Perſons may have that Liberty: And whoever ſhall ſell any Meat above the Rates allowed by this Act, ſhall for every ſuch Offence, upon Proof made upon Oath before any two Juſtices of the Peace, forfeit the like Sum of Three Pounds current Money. No Meat to be ſold, but in open Market.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Clerk or Clerks of the Market are hereby required and obliged to cauſe the Butchers, when there are more than one Bullock, Cow, or Heifer killed or brought to Market, to cut up a Side of one in Pieces, not exceeding ſix Pounds, for the Uſe of the poorer Sort of People; and if but one, then a Quarter to be cut up in ſuch Pieces; and if more than two Sheep, Calves, or Hogs, then to cut up a Side, or if but one, a Quarter, for the Uſe of the Poor, and ſo in proportion to the Number of each, which ſhall be killed or brought to Market for Sale: Provided nevertheleſs, That the Clerk or Clerks of the Market ſhall be paid for the ſame at the Prices ſettled by this Act; and that the ſame is demanded, and can be taken off by the ſaid poor People. Pieces of *6 lb.* each to be cut up, for the Uſe of the Poor.

VI. And be it further enacted by the Authority aforeſaid, That all fat Bullocks, Cows, Heifers, Calves, Sheep, Hogs, or Turtle, imported into this Iſland to kill; and likewiſe all Gees, Ducks, Turkies, and all Sorts of Poultry, ſhall be brought to the publick Market in each of the ſaid reſpective Towns into which they ſhall be imported, and ſold in three Days after they are landed or put aſhore; and in caſe the Owner is not offered a reaſonable Price for them in that Time, he may ſell them any where elſe: And any Perſon or Perſons who ſhall preſume to buy privately, or otherwiſe than in the publick Market, upon Proof made before any two of His Majeſty's Juſtices of the Peace, they forfeit and pay double the Value of ſuch Stock ſo clandeſtinely or privately bought: Provided nevertheleſs, That any Perſon may ſend to any other Iſland or Place for any of the aforementioned Stock, for his own Uſe. Meat and Poultry to be ſold in 3 Days after imported.

VII. And be it further enacted by the Authority aforeſaid, That the Butchers ſhall be allowed for killing and cutting up of a Bullock, Cow, or Heifer, one Shilling for each twenty Shillings the ſame ſhall make, according to the Value; Allowance to the Butcher for killing.

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lue; and for every Veal and Hog, four Shillings each; and for every Sheep, Turtle, or Shoat, three Shillings; and every Perſon who ſhall ſend any of the aforementioned Stock to the Market to be killed, may chooſe his own Butcher; and whatever Butcher any Stock is ſent to, is obliged to kill the ſame, under the Penalty of Forty Shillings: And if any Butcher ſhall abuſe any Meat in killing, ſo that the ſame is rendered unfit for Sale, he ſhall forfeit and pay to the Owner what ſhall be adjudged the Value by two Juſtices of the Peace, upon Proof made before them by the Clerk or Clerks of the Market, or other ſufficient Proof: And all Butchers ſhall be ſubject to ſuch Orders as they ſhall receive from the Clerk or Clerks of the Market, purſuant to this Act, under the Penalty of Forty Shillings for each Refuſal: And every Clerk or Clerks of the Market ſhall receive, and may deduct out of the Value of every Bullock, Cow, or Heifer, which ſhall be brought to Market, or killed there, ſix Shillings current Money, for his Trouble in ſeeing the Meat cut up, diſtributing it, and collecting the Money; but every Owner may, if he thinks fit, receive and collect his own Money, paying the Clerk of the Market his Fees notwithſtanding: And for every Veal and Hog, the ſaid Clerk ſhall be allowed two Shillings, and may deduct the ſame out of the Value; and for every Sheep, Shoat, or Turtle, one Shilling and ſix Pence; and may likewiſe deduct and keep in his Hand the Fees allowed the Butchers by this Act, as well as his own; and the ſaid Clerk or Clerks of the Market are obliged immediately to pay the Butchers at the above ſettled Rates, for ſuch Stock as ſhall be killed in the Market, provided the ſaid Clerk or Clerks of the Market ſhall be appointed by the Owners to collect the Money for the ſame.

Penalty on Butcher abuſing Meat.

Clerk's Fees.

Forfeitures how to be applied.

VIII. AND it is laſtly enacted by the Authority aforeſaid, That all the Forfeitures and Penalties in this Act not already applied, ſhall be paid the one Half to the Church-wardens, for the Uſe of the Poor of the Pariſh where the Forfeiture or Penalty is incurred; and the other Half to ſuch Perſon or Perſons as ſhall inform or ſue for the ſame.

N° 79. Expired. *An Act to regulate the Militia of the Iſland of St.* Chriſtopher.

An

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An Act for laying a Tax on Vintners, Victuallers, and Retailers of Wine, Rum, and Rum-punch, and other Strong-liquors; and for leſſening the Number of Diſtillers; and for preventing and diſcouraging Vintners, Victuallers, and Retailers of Wine, Rum, Rum-punch, and other Strong-liquors, from harbouring, entertaining, and concealing Sailors and Servants in the Iſland of St. Chriſtopher. No 80.

WHEREAS, by an Act made in the ſixth Year of the Reign of His late Majeſty King *George* the firſt, intituled, *An Act for laying a Tax on Vintners, Victuallers, and Retailers of Wine, Rum, and Rum-punch, and other Strong-liquors; and for leſſening the Number of Diſtillers in the Iſland of St.* Chriſtopher; *and to enable the Treaſurer to demand and receive all Arrearages and Debts, which remain due and in Arrear from Victuallers, and Retailers of Wine, and other Strong-liquors, by virtue of a former Act of this Iſland*, a Duty was laid on all Vintners, Victuallers, and Retailers of Wine, Rum, Rum-punch, and other Strong-liquors; which Act is lately expired: And foraſmuch as it is highly reaſonable that the Payment of the ſaid Debts ſhould be continued; we therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of St. *Chriſtopher*'s, have cheerfully and unanimouſly given and granted unto Your Majeſty, Your Heirs and Succeſſors, the Taxes and Impoſitions herein after mentioned: And we do moſt humbly beſeech Your Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Commander in chief of all His Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St *Chriſtopher*, and by the Authority of the ſame, That no Perſon or Perſons whatſoever, from and after the Publication of this Act (unleſs he or they be authorized and enabled in Manner and Form, as in this preſent Act is hereafter preſcribed and appointed) ſhall ſell, or utter by Retail (that is to ſay, by the Pint, Quart, Gallon, or by any other greater or leſſer Retail Meaſure) any Wine, Beer, Ale, Brandy, Cyder, Arrack, Arrack-punch, Rum, Rum-punch, or other Strong-liquors, upon pain that every ſuch Retailer of Wine, Beer, Ale, Brandy, Cyder, Arrack, Arrack-punch, or other Strong-liquors (except Rum, or Rum-punch) ſhall for every ſuch Offence forfeit the Sum of Forty Pounds current Money; and that every Retailer of Rum, or Rum-punch only, ſhall for every ſuch Offence forfeit the Sum of Ten Pounds of like current Money: Provided nevertheleſs, That this Act ſhall not be conſtrued to extend to any Perſon or Perſons who ſhall utter or ſell any of the Liquors abovementioned by three Gallons, and upwards, at one time, and to one Perſon, and no leſs Quantity; any thing herein contained to the contary in any wiſe notwithſtanding.

Penalty on retailing Strong-liquors without a Licence.

Exception.

II. AND be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commander in chief, or, in his Abſence from the Iſland, for the Lieutenant-governor, or Preſident of the Council for the Time being, to licenſe, and give Authority to ſuch Perſon or Perſons as ſhall apply for the ſame, to ſell, and utter by Retail, Wine, Beer, Ale, Brandy, Cyder, Arrack, or Arrack-punch, Rum, or Rum-punch, or other Strong-liquors, ſuch Perſon ſo to be licenſed paying firſt down into the Hands of the

20 *l. per Annum* to be paid for a Licence to ſell Brandy, and other Strong-liquors;

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Treaſurer for the Time being, at the Rate of twenty Pounds current Money *per Annum*, for ſuch Time as he ſhall take ſuch Licence to ſell, and utter by Retail, Wine, Beer, Ale, Brandy, Cyder, Arrack, or Arrack-punch, Rum, or Rum-punch, or other Strong-liquors, not exceeding one Year; and at the Rate of five Pounds current Money *per Annum*, for ſuch Time as ſuch other Perſon ſhall take ſuch Licence, not exceeding the Term of one Year, to ſell, and utter by Retail, Rum, and Rum-punch only; and the Treaſurer for the Time being is hereby required to give ſuch Perſon or Perſons a Certificate of ſuch Payment to him made, without Fee or Reward; which Certificate, when produced to the Commander in chief, or, in his Abſence from the Iſland, to the Lieutenant-governor, or Preſident of the Council for the Time being, he ſhall forthwith grant ſuch Licence or Licences under his Hand and Seal, for ſuch Time as the Party applying hath paid, according to the Rates aforeſaid; the Commander in chief, or, in his Abſence from the Iſland, the Lieutenant-governor, or the Preſident of the Council for the Time being, taking for ſigning every ſuch Licence the Sum of ten Shillings current Money; and the Secretary, ſeven Shillings and ſix Pence, and no greater or other Fee or Reward, on any Pretence or Colour whatſoever; any Law, Act, Uſage, or Cuſtom of this Iſland to the contrary thereof in any wiſe notwithſtanding.

and 5*l.* for Rum and Rum-punch only.

To whom Licences may be granted.

III. And be it enacted by the Authority aforeſaid, That no Licences ſhall be given or granted to any Perſon or Perſons whatſoever, ſave only to ſuch who ſhall perſonally uſe the Trade of ſelling, or uttering by Retail, Wine, Beer, Ale, Brandy, Cyder, Arrack, or Arrack-punch, Rum, or Rum-punch, or other Strong-liquors; or to the Landlord, or Owner of the Houſe where the Perſon uſing ſuch Trade ſhall ſell and utter the ſame; nor ſhall ſuch Licence be aſſignable, nor in any wiſe beneficial or extenſive, to indemnify any Perſon or Perſons againſt the Penalties of this preſent Act, except the firſt Taker.

Penalty on diſtilling Rum.

IV. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever within this Iſland, ſhall or may ſet up any Still or Stills, to diſtil or make Rum in any Town within the ſame, upon pain to forfeit and pay for every ſuch Offence the Sum of One hundred Pounds current Money; and likewiſe to forfeit all ſuch Quantities of Rum that ſhall be ſo diſtilled or made, contrary to the true Intent and Meaning of this preſent Act: Provided always, That it ſhall and may be lawful to and for any Planter, who ſhall diſtil and make Rum upon his Plantation, to utter and ſell the ſame by Retail, by himſelf or his Servants, pure and unmixed, upon ſuch ſaid Plantation, or in his Dwelling-houſe belonging to the ſame, and no where elſe; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

Exception.

Penalties how to be applied.

V. And be it further enacted by the Authority aforeſaid, That all and every the Taxes, Rates, and Impoſitions, laid and impoſed, or to be raiſed by virtue of this Act, ſhall go and be paid to His Majeſty, His Heirs and Succeſſors, for and towards maintaining and keeping in Repair the Fortifications, Forts, and Batteries of this Iſland; and all and every the Penalties hereby above laid and impoſed, ſhall go the two Thirds thereof to His Majeſty, His Heirs and Succeſſors, to be applied to the Uſes aforeſaid, and to and for none other Uſe or Purpoſe whatſoever; and the other Third to ſuch Perſon or Perſons as ſhall inform or ſue for the ſame; and be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record in the ſaid Iſland, in which Action or Suit, no Eſſoign, Protection, or Wager of Law, or any more than one Imparlance ſhall be allowed.

VI. And be it further enacted by the Authority aforeſaid, That no Treaſurer ſhall diſburſe, pay, or lay out any of the Monies in any Manner ariſing by virtue of this Act, excepting only his Poundage herein after mentioned, for collecting

collecting and receiving the ſame, but to and for the Uſes and Purpoſes to which the ſame by this Act are applied; and that, notwithſtanding an Order or Warrant for that Purpoſe firſt had, under the Hand of the Captain-general, or Commander in chief, or, in his Abſence from the Iſland, of the Lieutenant-governor, or Preſident of the Council for the Time being, by and with the Approbation and Conſent of the Council of the ſaid Iſland, upon pain to forfeit and loſe, and not be allowed in his Accounts, ſuch Diſburſements and Payments as ſhall be ſo made, contrary to the true Intent and Meaning of this Act. 1731.

Money paid by the Treaſurer contrary to this Act, not allowed.

VII. And be it further enacted by the Authority aforeſaid, That the Treaſurer for the Time being ſhall and may deduct, have, and take to his own Uſe, out of ſuch Monies as ſhall from time to time ariſe by virtue of this Act, after the Rate of five Pounds for every hundred Pounds current Money ſo collected and raiſed, and ſo in proportion for any leſſer Sum: And that the ſaid Treaſurer ſhall, yearly and every Year, during the Continuance of this Act, or oftner, if thereunto required by the Council and Aſſembly, lay before the ſaid Council and Aſſembly, or a Committee thereof, for that Purpoſe to be appointed, a true Account of all Receipts, Diſpoſitions, and Diſburſements of any Monies collected and raiſed by Force of the ſame, in order to the auditing, ſettling, and paſſing his ſaid Accounts; and in caſe of Neglect or Refuſal by him ſo to do, then ſuch Treaſurer ſhall forfeit and loſe the Sum of two hundred Pounds current Money; to be recovered againſt him by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record in the ſaid Iſland, in which ſaid Action or Suit there ſhall be no Eſſoign, Protection, or Wager of Law, or any more than one Imparlance allowed; and ſuch Forfeiture when recovered, ſhall be applied to the Uſe of His Majeſty's ſaid Forts, Batteries, and Fortifications in the ſaid Iſland, in Manner as is beforementioned and declared, concerning other Penalties laid by this Act.

Penalty on Treaſurer refuſing to paſs his Accounts.

VIII. And whereas ſeveral Perſons, ſelling, and uttering by Retail, Wine, Beer, Ale, Brandy, Cyder, Arrack, Arrack-punch, Rum, or Rum-punch, and other Strong-liquors, have been, and are frequently guilty of harbouring, entertaining, and concealing of Sailors and Servants; whereby the firſt are encouraged and abetted in neglecting their Duty on board the Ships and Veſſels whereunto they belong, and the laſt to injure their Maſters, by the Loſs of their Service, and to commit very great Diſorders: For remedy of which ſaid Evil, and for the more effectual Diſcouragement of ſuch Practices for the Time to come; be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons that ſhall, after the Publication of this Act, ſell, or utter by Retail, any Wine, Beer, Ale, Brandy, Cyder, Arrack, Arrack-punch, Rum, or Rum-punch, or other Strong-liquors, do, or ſhall truſt any Seaman or Sailor, belonging to any Ship or Veſſel riding at Anchor in any of the Roads, Creeks, or Bays of the ſaid Iſland, or any Servant belonging to any Inhabitant of the ſaid Iſland, for Victuals and Drink, or any Sort of Strong-liquors, to the Value of ſix Shillings current Money, or upwards; ſuch Perſon or Perſons ſo truſting any Seaman or Sailor, or Servant, to the Value aforeſaid, or upwards, ſhall be abſolutely debarred from bringing or maintaining any Action at Law, and from arreſting, detaining, or any otherwiſe proceeding againſt ſuch Seaman or Sailor, or Servant, for ſuch Debt ſo contracted above the Value aforeſaid; any Law, Act, Uſage, or Cuſtom of this Iſland to the contrary thereof in any wiſe notwithſtanding.

Clauſe to prevent harbouring Sailors and Servants.

IX. And be it further enacted by the Authority aforeſaid, That if any Action, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons, for any Matter or Thing which he or they ſhall do, or cauſe to be done in purſuance or Execution of all or any of the Powers, Authorities, Orders, or Directions of this Act; all and every the Perſon or Perſons ſo ſued and proſecuted in any Court whatſoever, ſhall and may plead the

Perſons ſued, may plead the General Iſſue.

1731. the General Iſſue, and give this Act, and the ſpecial Matter in Evidence: And if in any ſuch Action or Suit, the Plaintiff or Proſecutor ſhall become nonſuit, or forbear Proſecution, or diſcontinue the Suit or Action; or if a Verdict ſhall paſs againſt him, or Judgement be given againſt him by Default,

Double Coſts. or on Demurrer; then, in any of the ſaid Caſes, the Defendant or Defendants ſhall recover double Coſts, for which he or they ſhall have the like Remedy, as where Coſts are by Law awarded or given to other Defendants.

Publick Act. X. And be it further enacted by the Authority aforeſaid, That this Act ſhall be taken and allowed in all Courts within this Iſland as a publick Act; and all Judges, Juſtices, and others, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

Continuance of this Act. XI. And be it further enacted, That this preſent Act ſhall be, and continue in Force for the Space of eleven Years from the Publication thereof, and from thenceforward, until the next Sitting of the Council and Aſſembly of this Iſland.

1732. № 81. Not in force. *An Act for preventing the Importation of any Foreign Sugar, Rum, or Moloſſes, into the Iſland of St.* Chriſtopher, *in any other than* Engliſh *built Shipping, or from any other Place than the Place of their Growth, or where the ſaid Commodities were firſt ſhipped for Tranſportation.*

№ 82. Expired. *An Act for raiſing a Tax on all Negroes, and other Slaves, and on Houſes, Ware-houſes, and Shops, for repairing the Fortifications, Forts, and Batteries of this Iſland, and for erecting ſome new Batteries therein; and for obliging all Owners and Poſſeſſors of Slaves to ſend a Proportion of their ſaid Slaves to work on the ſaid Fortifications, for ſuch Time as is therein mentioned: And alſo for explaining an Act made in the eighth Year of the Reign of His late Majeſty King* George *the firſt*, intituled, *An Act to repeal a certain Act of the Council and Aſſembly of the Iſland of St.* Chriſtopher, intituled, *An Act for raiſing an Impoſt upon Liquors imported into the ſaid Iſland; and for impoſing certain Duties upon Wines, Beer, Ale, Cyder, and other Liquors hereafter to be imported into the ſaid Iſland.*

An

1732.

An Act for continuing the Duties of Gunpowder and Small Arms upon the Tonnage of Veſſels trading to and with this Iſland. N° 83. Repealed.

An Act for continuing the Duties upon Wines, Beer, Ale, Cyder, and other Liquors to be imported into the Iſland of St. Chriſtopher. N° 84.

WE, Your Majeſty's moſt dutiful and loyal Subjects, the Aſſembly of St. *Chriſtopher*'s, for the keeping in repair Your Majeſty's Fortifications, Forts, and Batteries in the ſaid Iſland, and for the erecting ſuch other Fortifications, Forts, and Batteries, as are herein after mentioned, have cheerfully and unanimouſly given and granted unto Your Majeſty the Impoſitions and Duties hereafter mentioned, for and during the Term hereafter expreſſed; and beſeech Your Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Commander in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher*, and by the Authority of the ſame, That the ſeveral Impoſitions and Duties, which by an Act of this Iſland, made in the eighth Year of the Reign of His late Majeſty King *George* the firſt, intituled, *An Act to repeal a certain Act of the Council and Aſſembly of the Iſland of St.* Chriſtopher, *intituled, An Act for raiſing an Impoſt upon Liquors imported into the ſaid Iſland; and for impoſing certain Duties upon Wines, Beer, Ale, Cyder, and other Liquors hereafter to be imported into the ſame Iſland*, were granted, charged, or impoſed upon the ſeveral Sorts of Liquors therein mentioned for the Term of eleven Years, which commenced from the twentieth Day of *April*, which was in the Year of our Lord One thouſand ſeven hundred and twenty two, ſhall be continued from the twentieth Day of *April*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and thirty three, until the twentieth Day of *April*, which ſhall be in the Year of our Lord One thouſand ſeven hundred and forty four, and no longer; and ſhall, during all that Time, be raiſed, levied, collected, and paid unto Your Majeſty, Your Heirs and Succeſſors, for and upon all ſuch Liquors, as by the ſaid former Act were chargeable, in ſuch Manner and Form, and according to ſuch Rules, and under ſuch Penalties and Forfeitures, as by the ſaid former Act were preſcribed, for or concerning the Duties thereby granted.

Duties upon Wines, &c. granted by the Act 8 *Geo.* I. continued to *April* 1744.

II. AND be it further enacted by the Authority aforeſaid, That the Treaſurer of this Iſland for the Time being, ſhall keep a ſeparate and diſtinct Account of the Duties granted by this Act, and of the Monies thereby ariſing; which Monies when received, ſhall be applied to the Uſes herein after mentioned by this Act; that is to ſay, To the amending and keeping in repair the Fortifications, Forts, and Batteries of this Iſland, and for the erecting and building

Money ariſing thereby, how to be applied.

1732.

building any other Fortifications, Forts, or Batteries that ſhall be wanting, and be directed by the Commander in chief, and the Council and Aſſembly of this Iſland, to be erected therein, and to no other Uſe whatſoever.

Penalty on Treaſurer miſapplying the Money.

III. And it is hereby further enacted by the Authority aforeſaid, That if the Treaſurer of this Iſland, or any other Officer employed in receiving the ſaid Duties, ſhall divert or miſapply any of the Monies that ſhall be paid, or come into his or their Hands by virtue of this Act, to any other Uſes or Purpoſes than are hereby directed; then ſuch Treaſurer, or other Officer ſo offending, ſhall forfeit his Office, and be incapable of any Office or Place of Truſt within this Iſland: And all Orders and Warrants for iſſuing, paying, or diſpoſing any of the Monies to be raiſed by virtue of this Act, contrary to the true Intent and Meaning thereof, ſhall be utterly void, to all Intents and Purpoſes whatſoever.

W

№ 85. Expired.

An Act for granting to His Majeſty a Duty of eight Shillings per *Poll on all Negroes, and other Slaves within this Iſland, and alſo of five Pounds* per Centum *on the Rents of all Houſes, Ware-houſes, Shops, and Tenements in the ſeveral Towns within the ſaid Iſland, to be applied towards the Diſcharge of the publick Debts; and for aſcertaining and ſettling the Salaries of the ſeveral Officers therein mentioned.*

№ 86. Private.

An Act for barring and cutting off all Eſtates Tail, and Eſtates in Remainder, limited and appointed by Clement Crooke *Eſquire, deceaſed, in and by his Laſt Will and Teſtament, of, in, and concerning the Lands, Tenements, and Hereditaments in the ſaid Will mentioned; and for veſting an Eſtate in Fee-ſimple therein, in* Clement Crooke *Eſquire, his eldeſt Son, and Heir at Law, notwithſtanding ſuch Limitations and Appointments.*

An

1733.

An Act for encouraging Thomas Spencer, *lately an Inhabitant of the Iſland of* Barbadoes, *in a new Project of hanging Coppers and Stills more commodiouſly than hath heretofore been uſed.* N° 87. Private.

An Act for appointing an Agent in Great Britain *for the Iſland of St.* Chriſtopher, *and for ſettling a Salary upon him during the Time of his Agency.* 1733. N° 88.

WE, Your Majeſty's moſt dutiful and loyal Subjects, the Commander in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of Your Iſland of St. *Chriſtopher*, taking into Conſideration the Neceſſity of having an Agent to repreſent the People of this Iſland in the Kingdom of *Great Britain*, have choſen *Richard Coope* Eſquire, to be Agent for the ſame; and we do moſt humbly pray Your Moſt Excellent Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of Your ſaid Commander in chief, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, and by the Authority of the ſame, That *Richard Coope* Eſquire, be, and he is hereby appointed to be the Agent for the ſaid Iſland in the Kingdom of *Great Britain*: And that he the ſaid *Richard Coope* ſhall have and receive out of the Treaſury of the ſaid Iſland, yearly and every Year, during the Time he ſhall be Agent for the ſaid Iſland, the Salary of One hundred Pounds Sterling Money of *Great Britain*; the firſt Payment thereof to begin and be made within one Year next and immediately after the Date of this Act: And the Treaſurer of the ſaid Iſland for the Time being, is hereby impowered and ordered to ſhip yearly out of the publick Taxes, now raiſed or to be raiſed within the ſaid Iſland, Sugar, or other Goods and Merchandizes of the Growth and Produce of this Iſland, ſufficient to pay and diſcharge the ſaid Salary.

100 *l. per Annum* ſettled on the Agent in *Great Britain.*

An

1733.

№ 89. *An Act for ſettling and deſcribing more clearly the Limits and Bounds of the ſeveral Pariſhes in this Iſland: And for amending an Act,* intituled, *An Act for regulating Veſtries; and for erecting into Pariſhes thoſe Parts of this Iſland formerly belonging to the* French; *and for annexing other Parts of the ſaid* French *Lands to the Pariſhes of St.* Mary Cayon, *St.* John Capiſterre, *St.* Anne Sandy Point, *and* Trinity Palmeto Point, *and in the ninth Year of His late Majeſty King* George, *for regulating Veſtries in this Iſland; and for aſcertaining the Bounds of every reſpective Pariſh in this Iſland.*

1733. № 89.

FOR preventing any Diſputes or Controverſies, that may hereafter ariſe concerning the Boundaries of any of the Pariſhes within this Iſland, and for deſcribing the Limits and Extent of each of the ſaid Pariſhes more fully and plainly; be it enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Commander in chief of all His Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher*, and by the Authority of the ſame, That the Pariſh of St. *George Baſſeterre*, in the ſaid Iſland, ſhall extend from that Part of the *Salt Ponds*, called *Nag's Head*, along the Sea-ſhore, to a Place called *Gillew's* Gutt, and from thence to the Top or uppermoſt Part of the Plantation now in the Tenure or Occupation of *Matthew Mills*, including the ſame, and from the uppermoſt Part of the ſame Plantation to the Sea-ſhore, lying next the Foot or lowermoſt Part of the Plantation or Lands now in the Tenure or Occupation of *Zachariah Bourryau*, in *Frigat Bay*, paſſing along in the ſaid Extent by the ſeveral Plantations or Lands now in the reſpective Tenures of *Nicholas Gallwey*, *Giles Mardenborough*, *James Milliken*, *Lovis Marſal*, *John Douglas*, *Tobias Wall*, *William Woodley* ſenior, *Ralph Payne*, *John Anderſon*, *George Aſhby*, *Peter Mitchell*, and the ſaid *Zachariah Bourryau*, and not to include the ſame, and from thence, along the Sea-ſhore, round the great *Salt Ponds*, to the aforeſaid Point of Land, called *Nag's Head*.

Extent of the Pariſh of St. *George Baſſeterre*,

II. AND be it further enacted by the Authority aforeſaid, That the Pariſh of St. *Peter Baſſeterre*, in the ſaid Iſland, ſhall extend from the Sea-ſhore, lying next the ſaid Plantations or Lands now in the Tenure of the ſaid *Zachariah Bourryau*, along the Sea-ſhore, to a Place called *Overee's* Gutt, and from thence to the Top or uppermoſt Part of the Plantation or Lands late in the Tenure or Occupation of *Charles Lowndes*, and now in the Tenure of *Robert Worthington*, and including the ſame, paſſing along in the ſaid Extent by the ſeveral Lands or Plantations now in the reſpective Tenures or Occupations of *William Fenton*, *Richard Holleran*, *Robert Cunyngham*, *John Spooner*, and *Richard Wilſon*, and not to include the ſame, and from thence to the Top or uppermoſt Part of the beforementioned Lands or Plantations, now in the Tenure of the ſaid *Matthew Mills*, paſſing along by the ſaid ſeveral Plantations or Lands next the Mountain, which now are in the reſpective Tenures or Occupations of *Auguſtus Boyd*, *James Milliken*, and *Nicholas Gallwey*, and including the ſame, and from thence to the Sea-ſhore next the aforeſaid Land or Plantation in *Frigat Bay* aforeſaid, now in the Tenure of the ſaid *Zachariah Bourryau*, paſſing along in the ſaid Extent by the aforeſaid Lands or Plantations, in the ſeveral Tenures of the ſaid *Nicholas Gallwey*, *Giles Mardenborough*, *James*

and of St. *Peter Baſſeterre*.

James Milliken, *Lewis Marſal*, *John Douglas*, *Tobias Wall*, *William Woodley* ſenior, *Ralph Payne*, *John Anderſon*, *George Aſhby*, *Peter Mitchell*, and the ſaid *Zachariah Bourryau*, and to include the ſame. 1733.

III. AND be it further enacted by the Authority aforeſaid, That the Pariſh of St. *Mary Cayon*, in the ſaid Iſland, ſhall extend from the ſaid *Overee*'s Gutt, along the Sea-ſhore, to a Place called *Soldiers* Gutt, and from thence, along the ſaid Gutt, to the Top or uppermoſt Part of the Plantation or Lands now in the Tenure of *Clement Crooke*, and including the ſame, paſſing along by the ſeveral Lands or Plantations now in the reſpective Tenures or Occupations of *Elizabeth Crooke*, *Clement Crooke*, *Zachariah Bourryau*, and *John Duport*, or his Under-tenant or Aſſigns, and not to include the ſame, and from thence to the Top of the ſaid Plantation now in the Tenure of the ſaid *Robert Worthington*, paſſing along by the ſeveral Plantations or Lands now in the reſpective Tenures of *Peter Thomas*, the Heirs of *Ralph Willett* deceaſed, *Anne Norton*, a Plantation called *Green Iſland*, now in the Tenure of the Honourable *William Mathew* Eſquire, or his Under-tenant or Aſſigns, and the Plantation of the ſaid *Richard Wilſon*, and including the ſame, and from thence to the Sea-ſhore next the ſaid *Overee*'s Gutt, paſſing by the aforeſaid Lands or Plantations now in the reſpective Tenures of the aforeſaid *Richard Wilſon*, *John Spooner*, *Robert Cunyngham*, *Richard Holleran*, and *William Fenton*, and to include the ſame. St. *Mary Cayon.*

IV. AND be it further enacted by the Authority aforeſaid, That the Pariſh of *Chriſt Church Nichola Town*, in the ſaid Iſland, ſhall extend from the ſaid *Soldiers* Gutt, along the Sea-ſhore, to a Place called St. *George*'s Gutt, and from thence, along the ſaid Gutt, and a Gutt called *Bunnana* Gutt, to the Top or uppermoſt Part of the Plantations or Lands of *Nicholas Taylor*, now in the Tenure or Occupation of *Thomas Dowſon*, his Under-tenant or Aſſigns, and including the ſame, paſſing along by the ſeveral Lands or Plantations now in the reſpective Tenures or Occupations of *Joſeph Eſtridge*, and *Benjamin Eſtridge*, and of *John Taylor*, and *Joſeph Taylor*, and not to include the ſame, and from thence to the Top or uppermoſt Part of the ſaid Plantation, now in the Tenure of the ſaid *Clement Crooke*, paſſing along by the ſeveral Lands or Plantations now in the reſpective Tenures or Occupations of *Benjamin Eſtridge*, *Anne Akers*, *Mary Hutchinſon*, *Francis Phipps*, *John Mills*, *William Julius*, *William Woodley* ſenior, *John Spooner*, *Matthew Mills*, the ſaid *Francis Phipps*, and the ſaid *John Duport*, and including the ſame, and from thence to the Sea-ſhore next the ſaid *Soldiers* Gutt, paſſing along by the ſeveral Lands or Plantations now in the reſpective Tenures or Occupations of the ſaid *Elizabeth Crooke*, *Clement Crooke*, *John Duport*, or his Under-tenant or Aſſigns, and the ſaid *Zachariah Bourryau*, and to include the ſame. *Chriſt Church Nichola Town.*

V. AND be it enacted by the Authority aforeſaid, That the Pariſh of St. *John Capiſterre*, in the ſaid Iſland, ſhall extend from the ſaid Gutt called St. *George*'s Gutt, along the Sea-ſhore, to the *Eaſt* Side of the Plantation or Lands in *French Capiſterre*, late in the Tenure or Occupation of *Thomas Canes*, and now in the Tenure or Occupation of *John Willett*, and *John Spooner* Eſquires, and not to include the ſame, and from thence to the Top or uppermoſt Part of the Plantation or Lands now in the Tenure or Occupation of *Hubert Guichard*, and not to include the ſame, paſſing along in the ſaid Extent by the Plantations of Colonel *John Hamilton* deceaſed, *James Milliard*, and *William Woodley* ſenior, and including the ſame, and from thence to the uppermoſt Part of the aforeſaid Plantation of the ſaid *Nicholas Taylor*, and now in the Poſſeſſion of the ſaid *Thomas Dowſon*, paſſing along by the ſeveral Plantations or Lands now in the reſpective Tenures of *William Woodley* ſenior, *Read Parſons*, *Beddingfield Pogſon*, *John Lynch*, *Anthony Lynch*, *Henry Willett*, *Margaret Willett* junior, *Joſeph Eſtridge*, *John Ward*, *Benjamin Eſtridge*, *William Eſtridge*, *Thomas Dowſon*, *William Johnſon*, the ſaid *Joſeph Eſtridge*, and St. *John Capiſterre.*

1733. *John Taylor*, and *Joſeph Taylor*, and including the ſame, and from thence to the Sea-ſhore next St. *George*'s Gutt, paſſing along by the ſeveral Lands and Plantations now in the reſpective Tenures or Occupations of *John Taylor*, and *Joſeph Taylor*, and *Joſeph Eſtridge*, and *Benjamin Eſtridge*, and to include the ſame.

St. Paul Capiſterre. VI. AND be it enacted by the Authority aforeſaid, That the Pariſh of St. *Paul Capiſterre*, in the ſaid Iſland, ſhall extend from the *Eaſt* Side of the aforeſaid Plantations or Lands now in the Tenure or Occupation of the ſaid *John Willett*, and *John Spooner*, along the Sea-ſhore, to the *North* Side of the Plantation or Lands late in the Tenure or Occupation of *Marmaduke Bachelor*, and now in the Tenure of *Jeremiah Brown*, and not to include the ſame, and from thence to the Top or uppermoſt Part of the Plantation or Lands now in the Tenure or Occupation of *Anthony Fatrie*, and to include the ſame, paſſing along in the ſaid Extent by the ſeveral Plantations or Lands now or late in the reſpective Tenures or Occupations of *George Huddleſton*, *Henry Crooke*, *John Orton*, and Sir *Charles Payne*, and not to include the ſame, and from thence to the uppermoſt Part of the Plantation or Lands now in the Tenure or Occupation of the ſaid *Hubert Guichard*, paſſing along in the ſaid Extent by the Plantations in the ſeveral Tenures or Occupations of *Peter Guinilat*, *Peter Brotherſon*, and *Nathan Croſſley*, and including the ſame, and from thence to the *Eaſt* Side of the aforeſaid Plantations or Lands in the Tenure of the ſaid *John Willett*, and *John Spooner*, and to include the ſame, paſſing along in the ſaid Extent by the ſeveral Plantations or Lands now in the reſpective Tenures or Occupations of *Hubert Guichard*, *Mary Hutchinſon*, and the ſaid Lands of *Thomas Canes*, now in the Tenure or Occupation of *John Willett*, and *John Spooner* aforeſaid, and to include the ſame.

St. Anne Sandy Point. VII. AND be it enacted by the Authority aforeſaid, That the Pariſh of St. *Anne Sandy Point*, in the ſaid Iſland, ſhall extend from the *North* Side of the ſaid Plantation or Lands, formerly called *Batchelor*'s Plantation, and now in the Tenure of the ſaid *Jeremiah Brown*, along the Sea-ſhore, to a Place called *Sandy Point* Gutt, and from thence to the Top or uppermoſt Part of the Plantation or Lands now in the Tenure or Occupation of *Benjamin Markham*, and including the ſame, and paſſing along by the ſeveral Plantations or Lands now in the reſpective Tenures or Occupations of *Francis Phipps*, *Nathaniel Payne*, and *Stephen Adye*, and not to include the ſame, and from thence to the uppermoſt Part of the beforementioned Plantation or Lands now in the Tenure or Occupation of the ſaid *Anthony Fatrie*, paſſing along by the ſeveral Plantations or Lands in the reſpective Tenures or Occupations of Sir *Charles Payne*, *Nathaniel Payne*, *Iſaac Peter Audain*, *Patrick Blake*, and the ſaid Sir *Charles Payne*, and including the ſame, and from thence to the Sea-ſhore next the *North* Side of the ſaid Plantation or Lands, formerly called *Batchelor*'s Plantation, and now in the Tenure of the ſaid *Jeremiah Brown*, paſſing along by the aforeſaid Plantations or Lands now in the reſpective Tenures or Occupations of Sir *Charles Payne*, *John Orton*, *Henry Crooke*, and *George Huddleſton*, and to include the ſame.

St. Thomas Middle Iſland. VIII. AND be it enacted by the Authority aforeſaid, That the Pariſh of St. *Thomas Middle Iſland*, in the ſaid Iſland, ſhall extend from *Sandy Point* Gutt aforeſaid, along the Sea-ſhore, to a Place called *Stone*'s *Fort* Gutt, and from thence to the Top or uppermoſt Part of the Plantation or Lands now in the Tenure or Occupation of *John Maddox*, and including the ſame, paſſing by the ſeveral Plantations or Lands now in the reſpective Tenures or Occupations of *Elizabeth Henderſon*, *Patrick Blake*, and *Mary Clayton*, and not to include the ſame, and from thence to the Top or uppermoſt Part of the ſaid Plantation, in the Tenure of the ſaid *Benjamin Markham*, paſſing along by the ſeveral Plantations now or late in the reſpective Tenures or Occupations of *Charles Matthew* deceaſed, *Chriſtopher Jefferſon*, *John Orton*, *Jaſper Virchild*, *Richard*

Richard Walker, the Honourable *William Mathew*, *Michael Lambert* deceaſed, *Freeman Millard*, *James Virchild*, *Thomas Butler* deceaſed, and *Peter Soulegree*, and *Stephen Adye*, and including the ſame, and from thence to the Sea-ſhore next the ſaid *Sandy Point* Gutt, paſſing along by the aforeſaid Plantations or Lands, now in the reſpective Tenures or Occupations of *Francis Phipps*, *Nathaniel Payne*, and the ſaid *Stephen Adye*, and to include the ſame. 1733.

IX. AND be it enacted by the Authority aforeſaid, That the Pariſh of *Trinity Palmeto Point*, in the ſaid Iſland, ſhall extend from the ſaid *Stone*'s *Fort* Gutt, to the ſaid *Gillew*'s Gutt, and from thence to the Top or uppermoſt Part of the beforementioned Plantation, now in the Tenure of the ſaid *Matthew Mills*, and not to include the ſame, paſſing along by the ſeveral Plantations now in the reſpective Tenures or Occupations of *Joſeph King*, *John Johnſon*, and the Heir of *Edward Spencer* deceaſed, his Under-tenants or Aſſigns, and to include the ſame, and from thence to the Top or uppermoſt Part of the ſaid Plantation in the Tenure of the ſaid *John Maddox*, and not to include the ſame, paſſing along by the ſeveral Plantations or Lands in the reſpective Tenures or Occupations of the Heir of the ſaid *Edward Spencer* deceaſed, his Under-tenants or Aſſigns, *Peter Dupee*, *Francis Kerie*, *Mary Bourryau*, *Sarah Phillips*, *Sarah* and *Mary Guillien*, *Zachariah Bourryau*, *John Garnett*, *Elizabeth Henderſon*, *Elizabeth Willett*, *Margaret Willett* junior, *Donn Therould*, the late *Michael Lambert* deceaſed, and the ſaid *Elizabeth Henderſon*, and including the ſame, and from thence to the Sea-ſhore next the ſaid *Stone*'s *Fort* Gutt, paſſing along by the ſeveral Lands or Plantations in the reſpective Tenures or Occupations of the ſaid *Mary Clayton*, *Patrick Blake*, and *Elizabeth Henderſon*, and to include the ſame. *Trinity Palmeto Point.*

X. PROVIDED always, and be it enacted, That this Act ſhall not be in Force, until His Majeſty ſhall give His Royal Aſſent thereto. *Commencement of this Act.*

An Act to indemnify the Treaſurer of this Iſland for and on account of his paying away the publick Sugars at a lower Price than they were received at. No. 90.

WE, Your Majeſty's moſt dutiful and loyal Subjects, the Commander in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher*, do moſt humbly pray Your Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Commander in chief, Council, and Aſſembly aforeſaid, and by the Authority of the ſame, That it ſhall and may be lawful to and for the Treaſurer of this Iſland to pay away all ſuch Sugars that he hath already collected and received, or may hereafter collect and receive, at the current Price that Sugar at the Time of the Publication of this Act generally is received and paid within this Iſland: And the ſaid Treaſurer, for or upon account of ſuch Payment or Payments by him ſo made, or hereafter to be made, ſhall *Treaſurer to pay away Sugars at the Price generally paid at the Publication of this Act.*

ſhall be, and is hereby indemnified, releaſed, acquitted, and diſcharged; any Law of this Iſland to the contrary thereof in any wiſe notwithſtanding. 1733.

№° 91. *An Act to regulate the Militia of the Iſland of St.* Chriſtopher.

WHEREAS nothing can contribute more to the Safety and Defence of this Iſland, than that a good and regular Diſcipline of the Militia be obſerved by the Inhabitants thereof; we therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Commander in chief of all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of this Your Majeſty's Iſland of St. *Chriſtopher*, do pray Your Moſt Sacred Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of His Majeſty's Commander in chief of His Leeward Iſlands, the Council and Aſſembly of St. *Chriſtopher*'s, and by the Authority of the ſame, That every Man, Inhabitant of this Iſland, from the Age of ſixteen to the Age of ſixty Years, and every ſuch Perſon who ſhall hereafter be an Inhabitant in the ſaid Iſland, after the Expiration of ſix Months from his firſt Reſidence within the ſame, be henceforward obliged to ſerve in ſome Troop or Company of the Militia of this Iſland, except decrepid and diſabled Perſons, Cannoneers, Montroſſes, and ſuch as belong to the Forts and Garriſons thereof: And that the ſaid Militia do remain formed into one Troop of Horſe, one Troop of Dragoons, and two Regiments of Foot.

Perſons from 16 to 60 Years of Age, to ſerve in the Militia.

Exception.

II. AND to prevent Diſputes which Corps each Perſon ſhall ſerve in, be it enacted by the Authority aforeſaid, That the Captain-general, or Commander in chief of this Iſland for the Time being, by and with the Advice of a Council of War (which ſhall always conſiſt of himſelf, three Field-officers, and three Captains at the leaſt) ſhall be impowered hereby, from time to time, and at all times, to appoint which Corps each Perſon, or Inhabitant on this Iſland ſhall appear in: Provided always, That no Plantation be obliged to provide more than one Trooper or Dragoon; and that no Perſon, who is willing to ſerve in the Troop, ſhall be compelled to ſerve in the Dragoons or Foot; nor any Perſon, that is willing to ſerve in the Dragoons, ſhall be compelled to ſerve in the Foot.

Captain-general, with the Advice of a Council of War, to appoint which Corps each Perſon ſhall appear in.

III. AND be it further enacted by the Authority aforeſaid, That every Foot-ſoldier ſhall appear with a good Firelock, and a Cartouch-box, capable of containing at leaſt twenty Cartridges, and which he ſhall always appear with, full of ſizeable Cartridges to his Gun: Every Dragoon ſhall appear on an able Horſe, belonging to himſelf, or the Plantation for which he ſhall appear, with a good Saddle, and Bridle, and a Pair of Spurrs, a good Firelock, a Link for his Horſe, and a Bucket for his Gun, fixed to his Saddle, with Belt and Swivel, and Cartouch-box, capable of containing at leaſt twenty Cartridges, and which he ſhall always appear with, full of Cartridges ſizeable to his

Men how to be armed and accoutred.

his Gun: And every Trooper ſhall appear with an able Horſe, belonging to himſelf, or the Plantation for which he ſhall appear, in a decent Coat, and other Clothing, a Deme Peak, or ſham Pad-ſaddle, with houſing and houlſter Caps, and a good Bitt, or Civit Bridle, a good Pair of Houlſters, and a Pair of Piſtols, and a good Firelock, and Bucket for it, fixed to his Saddle, with Belt and Swivel, and Cartouch-box, capable of containing at leaſt ten Cartridges, all which he ſhall appear with, full of ſizeable Cartridges for his Gun, and ſix ſizeable Cartridges for each Piſtol, a Pair of Boots and Spurrs, and a broad cutting Sword, and bring with him an able negro Man, armed with a good Cutlaſh. 1733.

IV. AND be it further enacted by the Authority aforeſaid, That the Place of Rendezvous ſhall be at Parading-places to be appointed by the Commander in chief on this Iſland for the Time being; and every Perſon not appearing on the Parade at each General or other Meeting by Nine of the Clock in the Morning, unleſs prevented by Sickneſs, or ſome unforeſeen Accident, to be allowed in Excuſe by his Officer (Trooper, or Dragoon, by the Colonel, or other Commanding Officer of the ſaid ſeveral Corps for the Time being, or to a Foot-ſoldier, by the Colonel, or Commanding Officer for the Time being, of the Regiment he belongs to) ſhall be eſteemed abſent that Day. Commander in chief to appoint the Place of Rendezvous.

V. AND that ſuch Meetings may not be uſeleſs, by the Remiſſneſs or Indulgence of any Officer whatſoever; be it, and it is hereby enacted by the Authority aforeſaid, That the following Method ſhall always be punctually obſerved; *viz.* The Commanding Officer of Foot in the Field ſhall firſt exerciſe all the Officers of the Foot preſent, and then ſhall name one of them to exerciſe the Foot through the Manual Exerciſe and Facings; and ſhall then himſelf, with the Officers at their Poſts, march the Men over the Parade, to teach them to march, wheel, and draw up; after which the whole Foot ſhall be formed into Platoons, and taught to fire, by burning of Powder, or flaſhing in the Pan only, by Platoons, or Ranks advancing and retreating, and ſhall be diſmiſſed by Twelve of the Clock at the fartheſt; and that while the Foot are performing the Exerciſe, the Horſe ſhall exerciſe with their Piſtols on Horſeback; and the Commanding Officer of them ſhall then order them to diſmount, delivering their Horſes to their Negroes, who are to remain in one regular Rank with them, at the Diſtance of ten Paces, or farther in the Rear, and then he ſhall exerciſe them through the Manual Exerciſe, and form them into Platoons, teaching them, by flaſhing in the Pan, to fire, advancing and retreating; after which they ſhall mount, and their Officers ſhall march them over the Parade as often as they ſhall ſee neceſſary, teaching them to march, wheel, and draw up, and diſmiſs them by Twelve of the Clock at the fartheſt; and the Dragoons at the ſame Time ſhall alſo diſmount, and link their Horſes in the Rear, and by their Officers be exerciſed through the Manual Exerciſe, and ſhall then be formed into Platoons, and taught to fire, advancing and retreating, by flaſhing in the Pan only; after which they ſhall mount, and their Officers ſhall march them over the Parade as often as they ſhall ſee neceſſary, teaching them to wheel, march, and draw up, and diſmiſs them by Twelve of the Clock at the fartheſt. Form of Exercife.

VI. AND be it alſo enacted by the Authority aforeſaid, That the Exerciſe of the ſaid ſeveral Corps ſhall, on General Meeting Days, be ſuch, and in ſuch Manner, as the Commanding Officer in the Field that Day ſhall think moſt proper. To be ſettled by the Commanding Officer in the Field.

VII. AND be it further enacted by the Authority aforeſaid, That the Fines for not appearing at each General or other Meeting, without being equipt, as aforeſaid, ſhall be half as much as if abſent; and every Perſon of the ſaid ſeveral Corps which ſhall be abſent on ſuch Meeting Days, without a good Reaſon, ſuch as ſhall be allowed of, as aforeſaid, ſhall forfeit and pay in Time of Peace as follows; *viz.* Every Trooper, fourteen Shillings; every Dragoon, Penalty on not appearing.

1733. nine Shillings; and every Foot-ſoldier, ſix Shillings, or the ſaid Foot-ſoldier be tied Neck and Heels half an Hour; except one white Perſon, who ſhall have Liberty to ſtay at Home, where there ſhall be more than one white Man-ſervant in a Plantation, without incurring any Forfeiture for ſo doing; every Colonel, the Sum of three Pounds ten Shillings; every Lieutenant-colonel, three Pounds; every Major, fifty Shillings; every Captain, forty Shillings; every Lieutenant and Enſign, thirty Shillings; every Serjeant, twelve Shillings; and every Corporal and Drummer, each, ſix Shillings; and for every Abſence or Non-attendance of the Field-marſhal (who ſhall be appointed by the Governor in chief, in order to exerciſe the Militia, as he ſhall be commanded by the Commanding Officer in the Field) the ſaid Field-marſhal ſhall forfeit the Sum of Twenty Pounds.

Puniſhment of a Soldier miſbehaving himſelf to his Superior.

VIII. AND be it further enacted by the Authority aforeſaid, That during a Time of Peace, whatever Officer or Soldier ſhall endeavour to revenge himſelf on his Superior, for having obliged him to do his Duty; or ſhall therefore behave himſelf diſreſpectful, or with ill Manners to his ſuperior Officer at any Meetings; ſuch *Delinquent* ſhall be puniſhed, by Confinement in *Charles Fort*, at the Diſcretion of a General or Regimental Court-martial, not exceeding thirty Days.

Fines how to be recovered and diſpoſed of.

IX. AND be it further enacted by the Authority aforeſaid, That all Fines directed to be levied by this Act, ſhall be levied and diſpoſed of as follows; *viz.* The Commanding Officer of Horſe and Dragoons on each Parade, on every General or other Meeting Day, ſhall cauſe the Roll of each Corps, Officers included, to be called over at Nine of the Clock, and ſhall ſign a true Liſt of every one abſent, or not armed, accoutred, and mounted, as aforeſaid, and make a Return of each Trooper or Dragoon thereof, ſigned by the Commanding Officer on the Parade, as aforeſaid, within ſix Days, to the Commander in chief on this Iſland for the Time being; and that the Commanding Foot-officer on the Parade that Day, ſhall cauſe the Roll of each Company, Officers included, to be called over at Nine of the Clock, and ſhall ſign a true Liſt of every one abſent, or not armed, as aforeſaid, and make a Return thereof to the Colonel of the Regiment, under the Penalty of Six Pounds for each Neglect of ſuch ſeveral Returns, as aforeſaid; and the Commander in chief of this Iſland for the Time being ſhall thereupon ſign and iſſue, within forty eight Hours next after ſuch Return made to him, a Warrant, directed to the Field-marſhal for the Time being (who is hereby impowered and required to put this Act in Execution within fifteen Days after the Date of the ſaid Warrant, under the Penalty of Six Pounds for each Refuſal or Neglect) ordering and directing him to diſtrain on the Goods and Chattels of the Defaulter, if any Officer commiſſioned, or Non-commiſſioned Trooper or Dragoon, ſufficient to ſatisfy the Fines ſo incurred by them by virtue of this Act, with all Charges attending ſuch diſtraining, on the Sale of ſuch Goods and Chattels; which ſaid Goods and Chattels ſhall, in three Days after the ſame ſhall be levied upon, be expoſed to Sale by the ſaid Field-marſhal, he returning the Surplus, if any ſhall be, to the Owner or Owners of the ſaid Goods ſo levied on; and that the ſaid Colonel ſhall iſſue out his Warrant, directed to the Serjeants of each Company where ſuch Foot-ſoldier or Drummer ſhall belong, to levy on the Goods and Chattels of ſuch Foot-ſoldier or Drummer, ſufficient to ſatisfy the Fines ſo incurred by them by virtue of this Act, with all the Charges attending ſuch diſtraining, on the Sale of ſuch Goods and Chattels; which ſaid Goods and Chattels ſhall, within three Days after the ſame ſhall be levied upon, be ſold by the ſaid Serjeants, they rendering the Surplus, if any ſhall be, to the Owners; and that the Fines thus ariſing, ſhall be paid to the Colonel of each Regiment, to be diſtributed to the Serjeants and Drummers; *viz.* One half to the ſaid Serjeants and Drummers, for their Encouragement, and the other half to buy Powder, for firing

in

in Platoons, as by this Act is directed: Provided always, That ſuch Sales be made in the next adjacent Town, and in the Preſence of four white Perſons at the leaſt: And if a Servant, or Apprentice be hindered by his Maſter or Miſtreſs, or not by them provided ſo as to appear accoutred and armed, as by this Act is directed; the Maſter or Miſtreſs of ſuch Servant, or Apprentice, ſhall in ſuch caſe pay the Fine, which ſhall be levied by the ſaid Serjeants, as aforeſaid. 1733.

Serjeants, &c. to be named by the Colonel.

X. And be it further enacted by the Authority aforeſaid, That Serjeants, Corporals, and Drummers ſhall be named by the Colonel, or Commanding Officer of each Corps, who on Refuſal to ſerve as ſuch, ſhall incur the Fines of Abſence, as aforeſaid, and ſhall, from ſuch Nomination and Appointment, be obliged to ſerve as Serjeants, Corporals, and Drummers, three Years then next following (excepting ſuch as have been Commiſſioners) in their turns, and no longer.

Power of the Commander in chief in caſe of War, &c.

XI. And be it further enacted by the Authority aforeſaid, That in caſe of a War, or an Invaſion ſhould be threatened, Inſurrections of Slaves be apprehended, or any Occaſion be of Alarms, by Danger of contagious or infectious Diſtempers, or otherwiſe however, the Captain-general, or Commander in chief on this Iſland for the Time being, may in ſuch Caſe put all the Inhabitants of this Iſland under Arms, and oblige them to act againſt a common Enemy; and may order Guards at his Diſcretion, and appoint Bounds for the Space of twenty four Hours, and no longer; but may continue the ſame as much longer as need be, with the Advice and Conſent of the Council of this Iſland for the Time being: Provided always, That in caſe of an actual Invaſion, or where an Enemy ſhall appear in view; that then, and in ſuch Caſe, the Commander in chief on this Iſland for the Time being ſhall and may keep the Inhabitants thereof in Arms, until ſuch Enemy ſhall diſappear, without ſuch Advice, as aforeſaid; any thing herein before contained to the contrary notwithſtanding.

Courts-martial.

XII. And be it further enacted by the Authority aforeſaid, That for leſſer Offences, all Regimental Courts-martial ſhall conſiſt of one Field-officer, and four Captains at the leaſt.

Officers how to be armed.

XIII. And be it further enacted by the Authority aforeſaid, That each and every Officer of Foot ſhall appear in the Field; Field-officers, and Captains, with half Pikes; the Lieutenants, with Partizans; and each an able negro Man, with a Cutlaſh, and his beſt Fuzee, for the Officers to exerciſe with, when required.

Perſons excuſed.

XIV. And be it further enacted by the Authority aforeſaid, That all Members of the Council (or ſuch as have been ſo) and Aſſembly for the Time being (except all ſuch Members of both Houſes as are Officers) all Officers of the Cuſtoms; the Judges of the Courts of King's-bench and Common-pleas; Barons of the Exchequer, and Judge of the Admiralty; the Treaſurer; the Secretary, and his Deputies; the Regiſter, and his Deputies; the Marſhal, and his Deputy; and all Officers attending the Aſſembly; and all the Clergy, ſhall be excuſed appearing at all ſuch Meetings, except General Muſters and Alarms; any thing in this Act contained to the contrary in any wiſe notwithſtanding.

What Quantity of Powder and Ball each Soldier is required to have.

XV. And be it further enacted by the Authority aforeſaid, That every Trooper ſhall always have at his Place of Abode, and which he ſhall produce at every ſuch Meeting, as aforeſaid, on the Parade, if thereunto required by the Commanding Officer in the Field for the Time being, two Pounds of good Piſtol Powder, and ſix Pounds of Ball, ſizeable for his Gun and Piſtols; and each Dragoon, or Foot-ſoldier, one Pound of good Piſtol Powder, and three Pounds of Ball, ſizeable to his Gun, to be produced by him, as aforeſaid; and every Captain, or Commander of a Company, Ammunition for twenty Rounds for his whole Company.

XVI. And

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Commander in chief to ſummon a Council of War, &c.

XVI. And be it further enacted by the Authority aforeſaid, That the Commanding Officer on this Iſland for the Time being, ſhall and may, as often as he ſees convenient, ſummon a Council of War, or Court-martial, where every Perſon ſummoned neglecting to attend, ſhall forfeit for each Neglect Three Pounds; to be levied in ſuch Manner as the Fines and Forfeitures herein before impoſed, in caſe of Abſence from Reviews, or on Muſtering-days, are directed to be levied.

What ſhall be deemed an Alarm.

XVII. And be it further enacted by the Authority aforeſaid, That four Muſkets, or Small Arms, fired one after another, at half a Minute's diſtance, after Nine of the Clock at Night, or two great Guns diſtinctly fired, either by Night or Day, ſhall be taken for, and deemed an Alarm from Quarter to Quarter throughout the Iſland; and all and every the Gunners of each reſpective Fort and Platform, are hereby obliged to take Notice of, and forward the ſame with all Expedition: And whatever Perſon or Perſons ſhall make any falſe Alarm or Alarms, by firing Muſkets, Small Arms, or Guns, or by beating any Drum or Drums after the ſaid Hour of Nine at Night, or neglect his or their Duty, in forwarding any Alarm made as aforeſaid; he or they ſo wilfully offending, ſhall forfeit Fifty Pounds current Money, for each Offence or Neglect; to be levied by the Provoſt-marſhal on the Offender's Goods and Chattels, by Warrant under the Hand and Seal of the Commander in chief on this Iſland for the Time being; and for want of Goods whereon to diſtrain for the ſame, the Perſon or Perſons offending ſhall ſuffer two Months Impriſonment: And whatever Maſter or Commander of any Ship or Veſſel in any of the Roads or Bays of this Iſland, ſhall preſume, after the ſaid Hour, to fire, or cauſe, or ſuffer to be fired on board his Ship, any great Guns, or Small Arms, or ſhall beat, or cauſe, or ſuffer to be beaten any Drum or Drums, whereby this Iſland may without Need be alarmed; ſuch Maſter or Commander ſo offending againſt this Act, ſhall ſuffer the Penalties as aforeſaid, as in Caſes of Alarm, unleſs on apparent Danger he do it in Defence of his Veſſel.

Penalty on making falſe Alarms.

Militia to be exerciſed 8 times a Year.

XVIII. And be it further enacted, That eight times in each reſpective Year (that is to ſay, once in the ſeveral Months of *January*, *March*, *May*, *July*, *September*, *October*, *November*, and *December*) the Militia of this Iſland ſhall meet at their reſpective Parades, to be exerciſed, as aforeſaid: And once in every Year there ſhall be a General Muſter or Review of the whole Militia, to be appointed by the Commanding Officer in this Iſland for the Time being, when and where he ſhall think fit; and that then and there be ſet up four ſeveral Targets, to be provided by the Officer of each Corps, one for the Troop of Horſe, two for the Regiments of Foot, and a Fourth for the Troop of Dragoons; and that every private Man of each reſpective Corps be ordered to fire one Shot, at ſixty Yards diſtance, at the ſaid Targets ſet up for them ſeverally; and that the Treaſurer for the Time being ſhall, and do provide before-hand four ſilver hilted Swords, that for the Horſe to be of the Value of ſix Pounds Sterling, and that for the Dragoons to be of four Pounds Sterling, and them for the Foot to be of fifty Shillings Sterling, each to be paid for out of the publick Treaſury of this Iſland; and that the Swords be given to him of each Corps that makes the beſt Shot, to encourage them that delight in Arms: And in caſe any Diſpute ariſe relating to whom the Sword doth belong, it ſhall be referred to the Commanding Officer for the Time being in the Field, whoſe Determination ſhall be final; and that this be done once in every Year, and not oftner.

General Muſter once a Year.

Reward for them that make the beſt Shot.

General Meeting of the Militia on the Arrival of a Captain-general.

XIX. And be it further enacted by the Authority aforeſaid, That the Commander in chief on this Iſland for the Time being, by and with the Advice and Conſent of the Council of the ſame Iſland, ſhall and may order and appoint a General Meeting of the Militia, on the firſt Arrival of a Captain-general, or Commander in chief of the ſaid Leeward Carribbee Iſlands, at this Iſland,

Iſland, or upon any other extraordinary Occaſion: And that all and ſingular the Perſons not repairing to ſuch General Meeting, or not appearing there, ſhall be ſubject to the ſame Penalty as for Abſence from General Meetings and Reviews, as aforeſaid; which ſhall be levied in the ſame Manner as the ſaid Forfeitures are hereby directed to be levied: And in caſe of an Alarm, all Perſons not appearing with the utmoſt Expedition and Diligence, armed and accoutred as hereby before directed, to their reſpective Alarm-poſts, which ſhall be before aſſigned them, by Order from the Commander on this Iſland for the Time being, ſhall forfeit and pay the Sum of Twenty five Pounds current Money, or ſuch leſſer Sum as a Court-martial ſhall think fit; and in caſe the Perſon ſo offending ſhall refuſe to pay ſuch Sum, he ſhall ſuffer two Months Impriſonment, or ſome leſſer Puniſhment, as by a Court-martial ſhall be inflicted. 1733. Penalty of not appearing upon an Alarm.

XX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commander in chief on this Iſland for the Time being, by and with the Advice of the Council and Aſſembly of the ſame Iſland, to give ſuch Reward for the Encouragement of ſuch Perſons as ſhall diſtinguiſh themſelves by Courage or Conduct, as to them ſhall ſeem meet; which ſhall be paid out of the Treaſury of this Iſland; and to make ſuch further Proviſion for all Perſons maimed or killed in Defence of this Iſland, or their Widows or Orphans, as the ſaid Governor in chief, Council, and Aſſembly ſhall think proper. Reward to be given to Perſons diſtinguiſhing themſelves in Defence of the Iſland.

XXI. And be it further enacted by the Authority aforeſaid, That in caſe of an actual Invaſion of this Iſland at any time, or immediate Danger of ſuch, it ſhall and may be lawful to and for the Chief Commander on this Iſland at that Time, to preſs Ammunition, Proviſions, or any Warlike Store, alſo Carts, Waggons, Negroes, and Horſes or Cattle for the publick Service, for the Space of twenty four Weeks only, by Warrant under his Hand and Seal; and in caſe of any Damage happening to ſuch Negroes, Cattle, Horſes, or Carriages, or that any of the ſaid Proviſions, Ammunition, or Store, ſhall be expended in the publick Service, it is the true Intent and Meaning of this Act, that the Owners thereof ſhall receive out of the publick Treaſury of this Iſland, the full Value thereof. Commander in chief may preſs Ammunition, &c. in caſe of an Invaſion.

XXII. And be it further enacted by the Authority aforeſaid, That in caſe of Alarms, or actual Invaſion, all Perſons practiſing Surgery ſhall attend with proper Inſtruments and Medicines at the ſeveral Alarm-poſts, which ſhall be appointed by the Commander in chief on this Iſland for the Time being, and attend the Service as the Commander ſhall direct, under the Penalty of Fifty Pounds; and in Conſideration of ſuch their Attendance, as aforeſaid, they are hereby excuſed their other Meetings; any thing in this Act contained to the contrary notwithſtanding. Surgeons to attend at the Alarm poſts.

XXIII. And be it further enacted, That all the Fines and Forfeitures impoſed by this Act (except the Fines accruing from the Regiments of Foot) the one half thereof ſhall go to, and be received by the Field-marſhal of this Iſland for the Time being, in Conſideration of his Attendance and performing his Duty, as by this Act is directed; and the other half Part thereof ſhall be paid by the ſaid Field-marſhal to the Treaſurer of this Iſland for the Time being, to be applied to and for the Uſe of His Majeſty's Fortifications of this Iſland, under the Penalty of forfeiting double the Sum which ſhall be paid unto him, after the Expiration of ten Days. Fines not otherwiſe diſpoſed of, to be paid to the Field-marſhal, &c.

XXIV. And to the end that no Perſon, who ſhall make Default in appearing at the Meetings aforeſaid, ſhall be excuſed from the Forfeitures herein before impoſed; be it further enacted by the Authority aforeſaid, That the ſaid Field-marſhal, before he ſhall take upon himſelf to execute any Powers and Authorities to him given by this Act, ſhall take an Oath before the Commander in chief on this Iſland for the Time being, That he will not, directly who ſhall be ſworn not to compound any.

1733. or indirectly, compound or agree with any Perſon who ſhall incur any Fine or Forfeitures impoſed by this Act, for any leſs Sum or Sums of Money than ſuch Perſons ſhall have actually forfeited.

Guards in *Chriſtmas* Holy-days for four Days.

XXV. And be it further enacted by the Authority aforeſaid, That the Commanding Officer of this Iſland for the Time being ſhall have Power, and is hereby required to order Guards and Rounds in the *Chriſtmas* Holy-days, for four Days, and no longer; the Guards and Rounds to begin on *Chriſtmas-eve*, and for three Days and three Nights after; and upon every Refuſal or Neglect of Officers or Soldiers, they and each of them ſhall incur double Fines and Penalties, as for Non-appearance; to be levied and applied by the Field-marſhal, and Serjeants, as aforeſaid.

In Time of War Militia to be exerciſed once a Month.

XXVI. And whereas in time of War more frequent Meetings of the Militia of this Iſland may be neceſſary and expedient, for the Safety of this His Majeſty's Colony; be it therefore further enacted by the Authority aforeſaid, That in the Time of War the Militia of this Iſland ſhall meet at their ſeveral Parades, to be exerciſed in ſuch Manner as is by this Act herein before directed, once in each reſpective Month; any Clauſe, Matter, or thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Perſons ſued, may plead the General Iſſue.

XXVII. And be it further enacted by the Authority aforeſaid, That in any Action, Suit, or Proſecution, wherein or whereby any Perſon or Perſons ſhall be appointed or authorized by virtue of this Act, to put the ſame, or any Part thereof in Execution, ſhall be proſecuted or moleſted; it ſhall be lawful for all and every the ſaid Perſons, their Heirs, Executors, and Adminiſtrators, to plead the General Iſſue, and give this Act in Evidence in any Court or Courts of Juſtice where the ſaid Matter ſhall be depending; and all the Judges of the ſaid Courts are hereby required to admit the ſame, without pleading ſpecially; and acquit, diſcharge, and indemnify them, and every of them, of and from all Suits and Proſecutions for or concerning any Matter or Thing acted or done in the due and neceſſary Performance and Execution of their reſpective Truſts and Employments therein.

Continuance of this Act.

XXVIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall have Continuance, and be and remain in Force for the Space of five Years from the Publication thereof, and from thence to the then next Sitting of the Aſſembly of this Iſland.

1733-4. N° 92. Expired.

An Act for ſettling the Sum of One thouſand two hundred Pounds, for one Year, to be computed from the Twenty fifth Day of December *laſt paſt, and after the Expiration of the ſaid Year, the Sum of Eight hundred Pounds current Money* per Annum, *upon his Excellency* William Mathew, *Chief Governor of all His Majeſty's Leeward Caribbee Iſlands in* America, *for the more honourable Support of him, and of the Dignity of His Majeſty's Government, during the Term therein mentioned.*

1733-4.

An Act for raiſing an annual Sum of Eight hundred Pounds current Money, by a Duty or Tax of Fourteen Pence per *Poll on all Negroes, and other Slaves within this Iſland: And the further Sum of Four hundred Pounds of like current Money, by an additional Duty or Tax of Seven Pence* per *Poll on the ſaid Negroes, and other Slaves, for one Year, to be computed from the Twenty fifth Day of* December *laſt paſt; to be applied to the ſeveral Uſes and Purpoſes herein declared and appointed.* № 93. Expired.



An Act to oblige all Owners, Renters, or Poſſeſſors of Slaves, to ſend a Proportion of their ſaid Slaves to work on the Fortifications of this Iſland. № 94. Expired.



An Act for giving an Eſtate of Inheritance in Fee-ſimple to ſuch of the Inhabitants of this Iſland as have built, or ſhall build Houſes within the ſeveral Fortifications of Brimſtone-hill, Charles Fort, *and Fort* Londonderry. № 95.

WHEREAS it has been found extremely incommodious, in Time of War, for the Inhabitants of this Iſland to live upon *Brimſtone-hill*, without convenient Houſes for themſelves and Families: And whereas it is highly reaſonable that Liberty be given to ſuch of them as ſhall think proper to

1733-4. to build Appartments therein, and alſo in *Charles Fort*, and Fort *Londonderry*, for their more comfortable Reception and Subſiſtence, and better Security of their moſt valuable Effects: For the accompliſhing therefore the Purpoſes aforeſaid, we, Your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of the Iſland of St. *Chriſtopher*, do moſt humbly pray Your Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Captain-general, and Governor in chief in and over all His Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher*, and by Authority of the ſame, That Proportions of Land be laid out by the Direction of the Captain-general, or, in his Abſence from this Iſland, of the Lieutenant-governor, or Commander thereof for the Time being, within the ſeveral Fortifications abovementioned; and that any Perſon or Perſons, being Inhabitants of this Iſland, or having any Eſtate or Eſtates of Freehold thereon, ſhall and may build thereon Houſes, Ciſterns, and ſuch other Conveniencies as they ſhall think proper, and hold and enjoy the ſame to them, their Heirs, and Aſſigns for ever, paying the Treaſurer of this Iſland, for the Uſe of His Majeſty, His Heirs and Succeſſors, a Pepper-corn yearly Rent for the ſame, if demanded: Provided always, That no one Perſon, for him or herſelf and Family, ſhall be allowed to have more than twenty four Foot in Front, and ſixty Foot in Depth; and that ſuch Buildings be either Stone Walls, or boarded with arched, ſhingled, or tiled Roofs, and that no Part thereof be thatched; and that the ſaid Proportions ſo taken up, be built upon in the Manner hereby directed, within three Years from the Date thereof; any thing herein contained to the contrary thereof notwithſtanding: Provided alſo, That if any Grant or Conveyance be made of any Proportion of Land, or of any Houſe or Houſes erected and built within any of the aforeſaid Fortifications, to any Perſon or Perſons whatſoever; ſuch Grant or Conveyance ſhall be void, unleſs the Purchaſer or Purchaſers thereof be Inhabitant or Inhabitants of this Iſland, or have an Eſtate of Freehold thereon; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Land to be laid out for Perſons to build Houſes on, at *Brimſtone-hill*, &c.

II. And for preventing Diſputes that may hereafter ariſe, touching the Right or Title to any of the ſaid Proportions of Land ſo to be allotted, as aforeſaid, and the Buildings thereupon to be erected and built; be it, and it is hereby further enacted by the Authority aforeſaid, That immediately from and after any Perſon or Perſons ſhall have erected and built a Houſe, or other Appartments and Buildings on ſuch Proportion of Land ſo allotted to him, her, or them; the ſaid Commander in chief ſhall, on Application for that Purpoſe, be obliged to grant to him, her, or them, a Patent under the Great Seal of theſe Iſlands for the ſame, to hold the ſame by ſuch Metes and Bounds as ſhall be therein and thereby deſcribed, to ſuch Perſon or Perſons, his, her, or their Heirs and Aſſigns for ever, under the yearly Rent herein abovementioned, if demanded; which ſaid Patent when granted, ſhall convey an Eſtate of Inheritance in Fee-ſimple, and ſhall be good and available in Law againſt the King's Majeſty, His Heirs and Succeſſors for ever.

and to be confirmed by Parent under the Great Seal.

III. And whereas his Excellency *William Mathew* did, within the Time preſcribed by an Act, intituled, *An Act for giving Titles to Inhabitants building Houſes on* Brimſtone-hill (paſſed *Auguſt* the thirtieth, One thouſand ſeven hundred and twenty) build a Houſe upon a Proportion of Land upon the ſaid Hill, containing twenty four Foot in Front, and eighty Foot in Depth; which ſaid Houſe, and Proportion of Land, is now the Property of the Honourable Sir *Charles Payne* Knight, who hath, by virtue of the ſaid Act, a Title to the ſame for no longer a Term than fifty and one Years, from the Day of paſſing the ſaid Act: And whereas nothing is more juſt than that he ſhould be put on the ſame Footing with other Perſons, who ſhall hereafter

hereafter have Proportions of Land on *Brimſtone-hill* aforeſaid, and build Houſes thereupon; be it therefore, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Sir *Charles Payne* ſhall from henceforth hold and enjoy the ſaid Houſe, and Proportion of Land, to himſelf, his Heirs and Aſſigns for ever, in as full and ample Manner, as any Perſons building any Houſes by virtue of this Act, ſhall and may hold and enjoy the ſame. 1733-4. Sir *Charles Payne*'s Houſe confirmed to him and his Heirs for ever.

An Act for reducing the Fee of Three Shillings per *Sheet taken by the Secretary as Clerk in Chancery, for the Copies of Bills and Anſwers in the ſaid Court, filed in the Secretary's Office, and for appointing a more reaſonable Fee in the room thereof.* N° 96.

WHEREAS in and by a certain Docket of Fees annexed to, and eſtabliſhed by an Act of Council and Aſſembly of this Iſland (paſſed the tenth Day of *January*, One thouſand ſeven hundred and fifteen ſixteen) intituled, *An Act for regulating and appointing the Fees of the ſeveral Officers and Courts in this Iſland*, the Sum of Three Shillings current Money *per* Sheet is allowed to the Secretary, as Clerk in Chancery, for Copies of Bills and Anſwers in that Court, filed in the Secretary's Office: And whereas the ſame is a moſt unreaſonable and extravagant Fee, and a great Oppreſſion upon the Suitors in that Court, and muſt occaſion an almoſt total Stagnation of Equitable Juſtice, by deterring many Perſons, by the vaſt Expence thereof, from proſecuting their juſt Rights therein; we therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of the Iſland of St. *Chriſtopher* (for remedy of ſo great an Evil) do pray Your Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of His Majeſty's Governor in chief of all His Leeward Carribbee Iſlands in *America*, and of the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, and by Authority of the ſame, That the ſaid Docket and Act, as to the ſaid Fee of Three Shillings current Money *per* Sheet, for Copies of Bills and Anſwers in the Court of Chancery, to be filed in the Secretary's Office of this Iſland, ſhall be, and is hereby from henceforth repealed, annulled, and declared void, to all Intents and Purpoſes, as if the ſame had never been made: And that the Secretary for the Time to come, ſhall not, on any Pretence whatſoever, take any more than One Shilling and ſix Pence *per* Sheet, each Sheet to contain one hundred and twenty Words, for Copies of Bills and Anſwers in Chancery, to be filed in his Office, upon pain, for every Offence committed againſt this Act, to forfeit and loſe double the Value of ſuch Sum taken over and above the ſaid Fee of One Shilling and ſix Pence *per* Sheet; one Moiety, or half Part whereof, ſhall go to His Majeſty, His Heirs and Succeſſors, and be applied to the Uſe of the Fortifications, Forts, and Batteries of this Iſland; and the other

Secretary's Fee reduced to 1 *s.* 6 *d.* *per* Sheet.

Penalty on taking more.

1733-4. Moiety, or half Part thereof, ſhall go to ſuch Perſon or Perſons as ſhall inform or ſue for the ſame; to be recovered in any of His Majeſty's Courts of Record in this Iſland by Action of Debt, Bill, Plaint, or Information, in which ſaid Action or Suit no Eſſoign, Protection, or Wager of Law, or any more than one Imparlance ſhall be allowed.

Proviſo. II. PROVIDED nevertheleſs, and it is hereby declared, That this Act ſhall not be of any Force, until ſuch Time as His Majeſty ſhall have given His Royal Aſſent thereunto.

N° 97. Expired. *An Act for obliging the Church-wardens and Veſtrymen of the Pariſh of St.* George Baſſeterre *to keep Watch in the Town of* Baſſeterre, *and* Iriſh *Town, by Night; and for preventing* Robberies, *and other Diſorders that are frequently committed therein.*

1734. N° 98. Expired. *An Act for continuing an Act,* intituled, *An Act to oblige all Owners, Renters, or Poſſeſſors of Slaves, to ſend a Proportion of their ſaid Slaves to work on the Fortifications of this Iſland.*

An

1735.

An Act to oblige all Perſons, Negroes, or other Slaves, hawking and retailing Wares and Merchandizes through the ſeveral Plantations or Pariſhes of this Iſland, to take out Licences for doing the ſame: And for preventing the Sale of Goods, Wares, and Merchandizes by Way of Lottery, and Lotteries for Money. N° 99.

WHEREAS ſeveral Frauds and Abuſes are daily committed by Negroes, who are employed by ſeveral Shop-keepers, and other Perſons, in hawking and retailing Goods and Wares through the ſeveral Parts of this Iſland, which cannot be remedied but by the total Suppreſſion thereof: For preventing of which for the future, be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Governor in chief of all His Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher*, and by the Authority of the ſame, That from, and immediately after the Publication of this Act, no Perſon or Perſons whatſoever, either by him, her, or themſelves in Perſon, unleſs in ſuch Manner as is herein after directed, or by any other white Perſon, Negro, or Slave, ſhall hawk, carry about, and vend, or expoſe to Sale, or cauſe or procure to be hawked, carried about, and vended, or expoſed to Sale, any Goods and Merchandizes whatſoever, in and through the ſeveral Plantations or Pariſhes of this Iſland.

No Goods to be hawked about the Iſland without a Licence.

II. AND for the better diſcovering and bringing to Puniſhment all ſuch Perſons who ſhall, contrary to the Directions of this Act, either by him, her, or themſelves in Perſon, unleſs as herein after is directed, hawk, carry about, and vend, or expoſe to Sale, or that ſhall employ, or ſend any Goods, Wares, or Merchandize by white Perſons, Negroes, or other Slaves, about the Country for Sale; be it, and it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons to apprehend and carry before any one of His Majeſty's Juſtices of the Peace in the ſaid Iſland all ſuch white Perſons, Negroes, or Slaves, which ſhall be found or detected carrying about, and expoſing to Sale any ſuch Goods, Wares, and Merchandize in Manner abovementioned; which ſaid Juſtice is hereby impowered and required to iſſue forth his Warrant or Precept under his Hand and Seal, requiring any Perſon or Perſons, who ſhall be ſuſpected to be the Owner or Owners of the ſaid Goods, Wares, or Merchandize, or whom he ſhall know, or be informed, is capable of diſcovering ſuch Owner or Owners of the ſame, to attend him at ſuch Time and Place as he ſhall therein direct; and in caſe ſuch Perſon or Perſons, ſuſpected to be the Owner or Owners of ſuch ſaid Goods, Wares, and Merchandize, do not then acquit him, her, or themſelves upon Oath (which Oath the ſaid Juſtice is impowered to adminiſter) by denying that the ſaid Goods ſo ſeized do belong to him, her, or them; or if it be otherwiſe proved upon Oath, to the Satisfaction of ſuch ſaid Juſtice, that the ſaid Goods do really belong to ſuch ſuſpected Owner or Owners; or that he, ſhe, or they are intereſted in the ſame; or that they are in any wiſe intereſted therein; that then, and in ſuch Caſe, ſuch Perſon or Perſons ſhall be deemed and looked upon to be convicted of ſuch Offence, and ſhall by ſuch ſaid Juſtice be adjudged to forfeit and loſe the ſaid Goods to the Informer, and likewiſe to pay the Sum of Twenty Pounds current

Method of detecting Perſons offending againſt this Act.

Penalty on Conviction.

1735. current Money, or upon Refuſal, be committed to the common Goal, there to remain without Bail or Mainprize, until Payment of the ſaid Sum; but in caſe upon Examination it doth not appear to ſuch ſaid Juſtice, who is the Owner or Owners, or any way intereſted in any ſuch ſaid Goods, Wares, and Merchandizes, then the ſame only ſhall be by him adjudged to be forfeited to ſuch Perſon or Perſons who ſeized ſuch ſaid Goods, Wares, and Merchandizes, and gave Information of the being hawked and carried about, contrary to the Intent and Meaning of this Act.

30 l. per Annum to be paid for a Licence.

III. PROVIDED alſo, and it is hereby declared and enacted by the Authority aforeſaid, That if any white Perſon or Perſons whatſoever ſhall pay into the Hands of the Treaſurer of this Iſland for the Time being the Sum of thirty Pounds current Money by the Year, and in like Proportion for any Time not leſs than three Months, of which Payment when made he is hereby required to give ſuch Perſon or Perſons a Certificate, without Fee or Reward; then, and in ſuch Caſe, it ſhall and may be lawful for the Governor in chief on this Iſland for the Time being, and he is hereby authorized and required to give the Perſon or Perſons producing ſuch Certificate, as aforeſaid, [in] his, her, or their Name or Names only, who ſhall apply for the ſame, a Licence under his Hand and Seal, for hawking, carrying, vending, and retailing any Goods, Wares, Merchandizes, or Commodities whatſoever, in, about, or through the ſeveral Plantations and Pariſhes of this Iſland; for which ſaid Licence the ſaid Governor in chief, and Secretary, ſhall and may take the ſame Fee as is allowed by Law for Wine Licences, and no greater or other Fee or Reward whatſoever; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Money ariſing thereby how to be applied.

IV. AND be it further enacted by the Authority aforeſaid, That all Monies ariſing by Licences in Manner as aforeſaid, ſhall be applied and diſpoſed to and for the Uſe of the Fortifications, Forts, and Batteries of this Iſland, and to and for no other Uſe or Purpoſe whatſoever.

Penalty on Perſons ſetting up Lotteries, &c.

V. AND whereas a Scheme hath formerly been carried on for the Sale and Diſpoſal of Plate, Jewels, and ſeveral other Goods and Merchandizes by way of Lottery, which is not only a groſs and notorious Impoſition upon the Publick, but may alſo prove a very great Injury to the Commerce of this Iſland, by diſcouraging Merchants conſtantly reſiding here, and other fair Traders, in the honeſt and lawful Exerciſe of their reſpective Callings, if a timely Remedy be not applied to the ſame: For preventing whereof, be it, and it is hereby further enacted by the Authority aforeſaid, That from and after the Publication of this Act, no Perſon or Perſons whatſoever ſhall make, ſet up, continue, or cauſe or procure to be made, ſet up, continued, or kept any Office or Place under the Denomination of a Sale or Sales of Plate, Jewels, or other Goods and Merchandizes whatſoever; or ſhall ſell, or expoſe to Sale any Plate, Jewels, or other Goods and Merchandizes by way of Lottery, or by Lot, Tickets, Chances, Numbers, or Figures; or ſhall make, advertiſe, or publiſh, or cauſe or procure to be made, advertiſed, and publiſhed, Propoſals or Schemes for advancing ſmall Sums of Money by ſeveral Perſons, amounting in the Whole to large Sums, to be divided amongſt them by Chances; or ſhall deliver out, or cauſe or procure to be delivered out, Tickets to Perſons advancing ſuch Sums, to intitle them to a Share or Shares of ſuch ſaid Plate, Jewels, or other Goods and Merchandizes ſet up to Sale, or of ſuch Monies ſo advanced, according to ſuch Propoſals or Schemes; or ſhall make, advertiſe, and publiſh, or cauſe or procure to be advertiſed and publiſhed, Propoſals, or any Schemes of the like Crime or Nature, under any Denomination, Nature, or Title whatſoever, upon pain that all and every Perſon or Perſons offending againſt this Act, ſhall for every Offence forfeit and loſe the Sum of one thouſand Pounds current Money of this Iſland; one Moiety whereof, when recovered, ſhall go to His Majeſty, His Heirs and Succeſſors,

Succeſſors, and be applied and diſpoſed in and towards the maintaining and keeping in repair the Fortifications, Forts, and Batteries of this Iſland; and the other Moiety to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame in any of His Majeſty's Courts of Record in this Iſland, by Action of Debt, Bill, Plaint, or Information, in which ſaid Suit no Eſſoign, Protection, or Wager of Law, or any more than one Imparlance ſhall be allowed. 1735.

VI. AND be it further enacted by the Authority aforeſaid, That this Act ſhall remain and be in Force for and during the Space of three Years from the Day of the Publication thereof, and from thence to the End of the then next Sitting of the Aſſembly of this Iſland, and no longer. Continuance of this Act.

An Act for the better regulating of Seamen and Sailors, and obliging all Maſters of Ships and other Veſſels to take care of their ſick Seamen or Sailors. 12° 100.

WHEREAS the Navigation of this Iſland labours under great Difficulties and Diſappointments, by reaſon of the diſorderly Behaviour of the Sailors and Seamen, occaſioned chiefly by the Entertainment and Credit they meet with in the Punch-houſes of this Iſland, and alſo by Sailors leaving the Veſſels they have been entred in, before they have performed the Voyage they have been entred for, to which they are encouraged by their being ſhipped at higher Wages by the Maſters of other Veſſels: And whereas the Laws already made have proved ineffectual for the Prevention of the Miſchiefs aforeſaid; we, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in chief in and over all Your Majeſty's Leeward Carribbee Iſlands in *America*, and the Council and Aſſembly of Your Majeſty's Iſland of St. *Chriſtopher*, humbly pray Your Moſt Sacred Majeſty that it may be enacted; and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the ſaid Governor in chief, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, That all Sailors and Seamen belonging to any Ship, Sloop, or Veſſel whatſoever, lying at Anchor in any of the Roads of this Iſland, who after the Publication of this Act ſhall leave, or abſent himſelf from the Ship or Veſſel to which he belongs, for the Space of forty eight Hours, without the Order or Conſent or Leave of the Maſter or Mate of the Ship, Sloop, or Veſſel to which he ſhall belong, and ſhall be thereof convicted by the Oath of his Maſter or Mate, and by any other Perſon, before any of His Majeſty's Juſtices of the Peace for the ſaid Iſland; then ſuch Sailor or Seaman ſhall forfeit and loſe all the Wages which ſhall be due to him for his Service on board the Veſſel he ſhall ſo leave or abſent himſelf from. Seaman abſenting himſelf 48 Hours from the Ship he belongs to, to loſe his Wages.

1735.

Perſons harbouring Seamen without a Ticket, forfeit their Licence, &c.

II. And be it, and it is hereby alſo enacted, That if any Keeper of a Punch-houſe, or Seller of Rum or Rum-punch, or any other Liquor, ſhall harbour or receive any Sailor or Seaman belonging to any Ship or Veſſel lying at Anchor in any of the Roads or Bays of the ſaid Iſland, without a Ticket from his reſpective Maſter or Mate, after the Hour of Eight of the Clock at Night, without the Permiſſion of the Maſter or Mate of the Ship or Veſſel to which he belongs; or ſhall at any Time of the Day or Night conceal any Sailor from any Perſon belonging to the ſame Veſſel, who ſhall enquire for him; or who ſhall permit any Sailor to remain in any Houſe or Yard belonging to him, for the Space of one Hour after he ſhall be forewarned or forbid ſo to do by the Maſter or any Mate of the Ship or Veſſel to which he ſhall belong; ſuch Seller of Rum or Rum-punch, or other Liquors, in any or either of the ſaid Caſes, being thereof convicted before the Commander in chief for the Time being, or two Juſtices of the Peace (one of which to be of the *Quorum*) by the Oath of the Maſter or Mate of the Ship or Veſſel ſo forewarning and forbidding, ſhall be, *ipſo facto*, deprived of, and forfeit his or her Licence for ſelling Liquors, and alſo ſhall incur and ſuffer the ſame Penalties and Forfeitures; to be recovered in the ſame Manner as by the Laws of this Iſland now in Force are laid or impoſed and directed, in caſe of Perſons ſelling Liquors without Licence.

Penalty on Maſters of Ships receiving Sailors without a Certificate of their Diſcharge from the Maſter of the Veſſel they laſt ſerved in.

III. And be it, and it is hereby further enacted by the Authority aforeſaid, That all Maſters of Ships and other Veſſels, who ſhall at any Time hereafter ſhip, or receive on board any Seaman or Sailor, without having a Certificate of his Diſcharge under the Hand of the Maſter of the Ship or Veſſel he laſt ſerved in, or otherwiſe, in caſe ſuch Sailor hath no ſuch Certificate, and before he hath made Oath before one of His Majeſty's Juſtices of the Peace for the ſaid Iſland, that he doth not belong to any Ship or Veſſel whatſoever, and was legally diſcharged from the Ship or Veſſel he laſt ſerved on board, ſhall forfeit and pay the Sum of Twenty Pounds current Money of the ſaid Iſland, for every ſuch Offence; one half to be paid to the Maſter of the Ship or Veſſel which the Sailor or Seaman ſhall leave and deſert, without being duly diſcharged; and the other Part thereof to the Church-wardens of the Pariſh next adjacent to the Road or Bay where the Ship or Veſſel, from which ſuch Sailor deſerted, was at Anchor at the Time of his Deſertion, for the Uſe of the Poor of the ſame Pariſh; and to be recovered in any of His Majeſty's Courts of Record in the ſaid Iſland by Bill, Plaint, or Information, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed.

Clauſe to prevent ſick and diſabled Seamen being left upon the Iſland.

IV. And whereas ſick and diſabled Sailors have been frequently left upon this Iſland by their reſpective Captains, whereby great Expence and Charges have accrued to the ſeveral Pariſhes, particularly that of St. *George Baſſeterre*, amounting annually to very conſiderable Sums for their Maintenance and Burial: For prevention thereof, and for obliging all Maſters of Veſſels to take proper Care of their Seamen, and provide for ſuch of them as are ſick; be it, and it is hereby enacted by the Authority aforeſaid, That from and after the Publication of this Act, it ſhall be inſerted in, and made Part of the Condition of the Bonds entred into at the Secretary's Office of this Iſland upon the Arrival of any Ship or Veſſel, by the Maſters or Commanders of the ſame, that the Maſter or Commander, or his Securities, ſhall provide for, and take Care of the Sailors or Mariners belonging to his Veſſel, ſo that they, or any of them, ſhall not become chargeable to any Pariſh of this Iſland, within ſuch Space of ſix Months after the Departure from this Iſland of the Ship or Veſſel to which he or they ſhall belong, except ſuch Sailors as belong to, or have gained a legal Settlement in ſome Pariſh in this Iſland: And alſo, that from and after the Publication of this Act, the Penalty

nalty of ſuch Bonds to be entred into at the Secretary's Office ſhall be Fifteen hundred Pounds.

1735.

V. AND be it further enacted by the Authority aforeſaid, That this Act ſhall continue in Force for five Years from the Date hereof, and no longer, and to the next Sitting of the Aſſembly.

Continuance of this Act.

An Act for granting to His Majeſty a Duty of Five Shillings and ſix Pence per *Poll on all Negroes, and other Slaves within this Iſland; and alſo Five Pounds* per Cent. *on the Rent of all Houſes, Warehouſes, Shops, and Tenements in the ſeveral Towns within this Iſland.*

№° 101. Expired.

An Act to enable the Publick of this Iſland to cut Turf and Sod out of the Lands adjoining to Fort Londonderry, *for repairing and finiſhing the Fortifications and Works of the ſaid Fort.*

№° 102. Expired.

An Act for the reviving of an Act, intituled, *An Act to oblige all Owners, Renters, or Poſſeſſors of Slaves, to ſend a Proportion of their ſaid Slaves to work on the Fortifications of this Iſland.*

№° 103. Expired.

FINIS.

FINIS

These following Acts were not come to Hand when the foregoing were printed off.

1739.

An Act for preventing clandeſtine Marriages in the Iſland of St. Chriſtopher. No 104.

WHEREAS clandeſtine Marriages have been heretofore frequently celebrated in this Iſland, whereby Parents have been deprived of their Children without their Conſent and Approbation, to the great Injury and Diſquietude of Families: And whereas evil-minded Perſons are at Liberty ſtill to carry on ſuch irregular Practices, unleſs timely prevented by Law; for remedying therefore ſo great an Evil, we, Your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of the Iſland of St. *Chriſtopher*, do pray Your Majeſty that it may be enacted, and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Governor in Chief of all His Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, and by the Authority of the ſame, That from and immediately after the Publication of this Act, no Perſon or Perſons whatſoever ſhall preſume, under any Colour or Pretence whatſoever, to marry or join together in Wedlock any Couple, unleſs before ſuch Marriage be celebrated the Parties intending or deſigning to be married be duly called in the Church by the Chriſtian Name and Surname of the ſaid Couple where one of the Parties ſhall reſide for Three *Sundays* or Holy-days, ſucceſſively, during the Time of Divine Service, or that the Parties ſo intending to be married, or one of them, ſhall firſt procure and take out, or cauſe to be procured and taken out of the Secretary's Office of this Iſland a Licence for that Purpoſe, which ſhall alſo be ſigned by the Ordinary, or deputed Ordinary on this Iſland for the time being, before the ſame ſhall be of any Force or Validity whatſoever.

Perſons to be married ſhall be called three times in the Church,

or take out a Licence.

II. AND be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall marry or join together in Wedlock any Couple whatſoever, unleſs both the Parties be firſt called in Church, as aforeſaid, or having ſuch Licence, as aforeſaid, authorizing him to do the ſame; ſuch Perſon or Perſons offending againſt this Act ſhall forfeit and loſe One hundred Pounds current Money for every Offence ſo by him committed, to be recovered in any of His Majeſty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, in which no Eſſoign, Protection, or Wager of Law, or any more than one Imparlance ſhall be allowed; and the ſame when recovered ſhall go, one Moiety, or half

Penalty.

1739. Part thereof, to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame, and the other Moiety, or half Part, ſhall go and be paid to the Church-wardens of the Pariſh where ſuch Offence ſhall be committed, for the Uſe of the Poor of ſuch Pariſh.

No 105. *An Act for giving an Eſtate of Inheritance in Fee-ſimple to ſuch of the Inhabitants of this Iſland as have built or ſhall build Houſes within the ſeveral Fortifications of* Brimſtone Hill, Charles Fort, *and* Fort Londonderry.

WHEREAS the ſeveral Inhabitants of this Iſland have neglected building Houſes in any of the Fortifications of the ſaid Iſland within the Limitation of Time preſcribed in and by an Act of the Governor in Chief, Council, and Aſſembly of this Iſland, intituled, *An Act for giving an Eſtate of Inheritance in Fee-ſimple to ſuch of the Inhabitants of this Iſland as have built or ſhall build Houſes within the ſeveral Fortifications of* Brimſtone Hill, Charles Fort, *and* Fort Londonderry, and paſſed the Twentieth Day of *February*, One thouſand ſeven hundred and thirty three, whereby the ſaid Act is become ineffectual, as to the ſeveral Intents and Purpoſes for which the ſame was made; we therefore, Your Majeſty's moſt dutiful and loyal Subjects, the Council and Aſſembly of the Iſland of St. *Chriſtopher*, do moſt humbly pray Your Majeſty that it may be enacted, and be it, and it is hereby enacted by and with the Advice and Conſent of the Captain-general and Governor in Chief in and over all His Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, and by the Authority of the ſame, That Proportions of Land be laid out by the Direction of the Captain-general, or, in his Abſence from this Iſland, of the Lieutenant-governor, or the Commander thereof for the time being, within the ſeveral Fortifications abovementioned; and that any Perſon or Perſons, being Inhabitants of this Iſland, or having any Eſtate or Eſtates of Freehold thereon, ſhall and may build Houſes, Ciſterns, and ſuch other Conveniencies as they ſhall think proper, and hold and enjoy the ſame to them, their Heirs and Aſſigns for ever, paying the Treaſurer of this Iſland, for the Uſe of His Majeſty, His Heirs and Succeſſors, a Pepper Corn yearly Rent for the ſame, if demanded.

Buildings within the Fortifications to be made Freehold.

Proviſo. II. PROVIDED always, That no Perſon, for him or herſelf and Family, ſhall be allowed to have more than Twenty four Foot in Front, and Sixty Foot in Depth; and that ſuch Buildings be either Stone Walls, or boarded, with arched, ſhingled, or tiled Roofs, and that no Part thereof be thatched; and that the ſaid Proportions ſo taken up be built upon in the Manner hereby directed, within Three Years from the Date hereof; any thing herein contained to the contrary thereof notwithſtanding.

Proviſo. III. PROVIDED alſo, That if any Allotment be made of any Proportion of Land, or of any Houſe or Houſes erected and built within any of the aforeſaid Fortifications, to any Perſon or Perſons whatſoever, ſuch Allotment ſhall be void, unleſs the Perſon or Perſons to whom the ſame ſhall

ſhall be allotted, and built upon, be Inhabitant or Inhabitants of this Iſland, or have an Eſtate of Freehold thereon; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding. 1739.

An Act for reviving an Act, intituled, An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Iſland; and for obliging all Owners and Poſſeſſors of Slaves to ſend a Proportion of their ſaid Slaves to the ſame, for ſuch Time as therein is mentioned; *and for amending and altering ſeveral Parts and Clauſes in the ſaid Act mentioned and contained.* N° 106. Expired.

An Act for granting an Aid to His Majeſty, by a Duty or Tax of Eight Shillings per *Poll on all Negroes and other Slaves, and the further Duty of Five Pounds in the Hundred on all Houſes, Warehouſes, Shops, and Tenements in the ſeveral Towns within this Iſland, to be applied in and towards Payment of the publick Debts now due, and for defraying the accruing Expence of this current Year* 1739, *to the ſeveral Officers and others employed by the Publick of the ſaid Iſland.* N° 107. Expired.

An Act to prevent all Perſons, Negroes, and other Slaves, from hawking and retailing Wares and Merchandizes through the ſeveral Plantations, Towns, or Pariſhes of this Iſland; and for the preventing the Sale of Goods, Wares, and Merchandizes by Way of Lottery, and Lotteries for Money. N° 108.

WHEREAS ſeveral Frauds and Abuſes are daily committed by Negroes who are employed by ſeveral Shop-keepers, and other Perſons, in hawking and retailing Goods and Wares through the ſeveral Parts

1739. of this Iſland, which cannot be remedied but by the total Suppreſſion thereof; for preventing of which for the future, be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Governor in Chief of all His Majeſty's *Leeward Caribbee* Iſlands in *America*, and the Council and Aſſembly of the Iſland of St. *Chriſtopher*, and by the Authority of the ſame, That from and immediately after the Publication of this Act, no Perſon or Perſons whatſoever, either by him, her, or themſelves, ſhall hawk, carry about, and vend or expoſe to Sale, or cauſe or procure to be hawked, carried about, and vended or expoſed to Sale, any Goods and Merchandize whatſoever in and through the ſeveral Plantations, Towns, or Pariſhes of this Iſland.

No Hawkers to be allowed.

Penalty. II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall, contrary to this Act, preſume to hawk, carry about, vend or expoſe to Sale, or cauſe or procure to be hawked, carried about, and vended or expoſed to Sale any Goods, Wares, and Merchandize, as aforeſaid, ſhall for every ſuch Offence forfeit the Sum of One hundred Pounds current Money, together with the Goods expoſed to Sale.

III. And for the better diſcovering and bringing to Puniſhment all ſuch Perſons who ſhall, contrary to this Act, either by him, her, or themſelves in Perſon, hawk, carry about, and vend or expoſe to Sale, or that ſhall employ or ſend any Goods, Wares, or Merchandize by white Perſons, Negroes, or other Slaves about the Pariſhes, Plantations, or Towns of this Iſland for Sale; be it, and it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons to apprehend and carry before any one of His Majeſty's Juſtices of the Peace in the ſaid Iſland, all ſuch white Perſons, Negroes, or Slaves, which ſhall be found or detected carrying about and expoſing to Sale any ſuch Goods, Wares, and Merchandize, which ſaid Juſtice is hereby impowered and required to iſſue forth his Warrant or Precept under his Hand and Seal, requiring any Perſon or Perſons, who ſhall be ſuſpected to be the Owner or Owners of the ſaid Goods, Wares, or Merchandize, or whom he ſhall know or be informed is capable of diſcovering ſuch Owner or Owners of the ſame, to attend him at ſuch Time and Place as he ſhall therein direct; and in caſe ſuch Perſon or Perſons ſuſpected to be the Owner or Owners of ſuch ſaid Goods, Wares, and Merchandize, do not then acquit him, her, or themſelves upon Oath (which Oath the ſaid Juſtice is impowered to adminiſter) by denying that the ſaid Goods ſo ſeized do belong to him, her, or them; or if it be otherwiſe proved upon Oath, to the Satisfaction of ſuch ſaid Juſtice, that the ſaid Goods do really belong to ſuch ſuſpected Owner or Owners; or that he, ſhe, or they are intereſted in the ſame; or that they are in any wiſe intereſted therein; that then, and in ſuch a Caſe, ſuch Perſon or Perſons ſhall be deemed and looked upon to be convicted of ſuch Offence, and ſhall by ſuch ſaid Juſtice be adjudged to loſe and forfeit the ſaid Goods to the Informer, and likewiſe to pay the Sum of One hundred Pounds current Money, as enjoined by this Act, or upon Refuſal to be committed to the common Gaol of this Iſland, there to remain without Bail or Mainprize until Payment of the ſame.

All Perſons may apprehend Hawkers.

Juſtice's Warrant to apprehend Hawkers.

How to convict a Hawker.

Proviſo. IV. Provided neverthleſs, and it is hereby declared and enacted by the Authority aforeſaid, That if any Perſon or Perſons convicted in offending againſt this Act, do make it appear upon Oath, or other ſatisfactory Proof, ſuch as ſhall be allowed of by the Juſtice before whom the Fact is tried, that he, ſhe, or they are not worth the Sum inflicted to be paid by this Act, then, and in ſuch a Caſe, he, ſhe, or they to be committed to the common Gaol only, for the Space of Six Calendar Months, without Bail or Mainprize, as aforeſaid; any thing in this Act contained to the

contrary

contrary thereof in any wiſe notwithſtanding; but in caſe upon Examination it doth not appear to ſuch ſaid Juſtice who is the Owner or Owners, or any way intereſted in ſuch ſaid Goods, Wares, and Merchandize, then the ſame only ſhall by him be adjudged to be forfeited to ſuch Perſon or Perſons who ſeized ſuch ſaid Goods, Wares, and Merchandize, and gave Information of their being hawked and carried about contrary to the Intent and Meaning of this Act. 1739.

V. And be it further enacted by the Authority aforeſaid, That all the Money ariſing by the Forfeitures of this Act, ſhall be for the Uſe of His Majeſty, His Heirs, and Succeſſors, for and towards the defraying the contingent Charges of this Iſland. Application of the Forfeitures.

VI. And whereas a Scheme hath formerly been carried on for the Sale and Diſpoſal of Jewels, Plate, and ſeveral other Goods and Merchandize by way of Lottery, which is not only a groſs and notorious Impoſition upon the Publick, but may alſo prove a very great Injury to the Commerce of this Iſland, by diſcouraging Merchants conſtantly reſiding here, and other fair Traders in the honeſt and lawful Exerciſe of their reſpective Calling, if a timely Remedy be not applied to the ſame; for preventing thereof be it, and it is hereby further enacted by the Authority aforeſaid, That from and after the Publication of this Act, no Perſon or Perſons whatſoever ſhall make, ſet up, continue, or cauſe or procure to be made, ſet up, continued, or kept, any Office or Place under the Denomination of a Sale or Sales of Plate, Jewels, or other Goods and Merchandize whatſoever by Way of Lottery, or by Lott, Tickets, Chances, Numbers, or Figures; or ſhall make, advertiſe, or publiſh, or cauſe or procure to be made, advertiſed, and publiſhed, Propoſals or Schemes for advancing ſmall Sums of Money by ſeveral Perſons, amounting in the whole to large Sums, to be divided amongſt them by Chances; or ſhall deliver out, or cauſe or procure to be delivered out, Tickets to Perſons advancing ſuch Sums to entitle them to a Share or Shares of ſuch ſaid Plate, Jewels, or other Goods and Merchandize ſet up to Sale, or of ſuch Monies ſo advanced according to ſuch Propoſals or Schemes; or ſhall make, advertiſe, or publiſh, or cauſe or procure to be made, advertiſed, and publiſhed, Propoſals or Schemes of the like Crime or Nature, under any Denomination, Name, or Title whatſoever, upon pain that all and every Perſon or Perſons offending againſt this Act ſhall for every Offence forfeit and loſe the Sum of One thouſand Pounds current Money of this Iſland, one Moiety whereof, when recovered, ſhall go to His Majeſty, His Heirs and Succeſſors, and be applied as herein before directed, and the other Moiety to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame, in any of His Majeſty's Courts of Record in this Iſland, by Action o Debt, Bill, Plaint, or Information, in which ſaid Suit no Eſſoign, Protection, or Wager of Law, or any more than one Imparlance ſhall be allowed. No private Lotteries to be allowed. Penalty.

VII. Provided always, That nothing in this Act ſhall extend to debar or prevent the carrying about and ſelling of Fruit, Herbage, Stock, freſh Fiſh, or any other the Growth or Produce of the ſaid Iſland; any thing herein before contained to the contrary notwithſtanding. Proviſo.

1739.

№° 109. Expired. *An Act for continuing an Act, intituled,* An Act for reviving an Act, intituled, *An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Iſland; and for obliging all Owners and Poſſeſſors of Slaves to ſend a Proportion of their ſaid Slaves to the ſame, for ſuch Time as therein is mentioned; and for amending and altering ſeveral Parts and Clauſes in the ſaid Act mentioned and contained.*

№° 110. *An Act to direct and impower the Courts in the Iſland of St.* Chriſtopher *in all Actions where mutual Dealings and Credits are between the Plaintiff and Defendant, to ſet off and diſcount each Party's Demand againſt the other, and to give Judgement for the Balance only.*

WHEREAS frequently Actions are brought in the Courts of this Iſland where mutual Dealings and Credits are between the Plaintiff and Defendant, and by the Laws and Uſage of this Iſland the Plaintiffs are not compellable in ſuch Actions to allow and diſcount the Defendants lawful Demands againſt them, but ſuch Defendants are obliged to commence freſh Actions againſt the ſaid Plaintiffs for Recovery thereof, which occaſions a Multiplicity of Suits, and is otherwiſe found by Experience to be very prejudicial to the Trade and Commerce of this Iſland; to remedy the ſame for the future, we, Your Majeſty's moſt dutiful and loyal Subjects, the Governor in Chief of all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, do humbly pray Your Moſt Excellent Majeſty that it may be enacted, and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of His ſaid Governor in Chief, and of the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, and by the Authority of the ſame,

General Iſſue to be pleaded 14 Days before the ſecond Court.

That where any Action or Suit is or ſhall be brought in any Court in the ſaid Iſland of St. *Chriſtopher* by any Plaintiff, in his own Right, or as Executor or Adminiſtrator, againſt any Defendant, in his own Right, or as Executor or Adminiſtrator, for any Due, Debt, or Demand whatſoever, and there are any Demands and Intercourſe of Debts and Credits between ſuch ſaid Plaintiff and Defendant, or their Teſtators or Inteſtates; in all ſuch Caſes, from and after Publication of this Act, ſuch Defendant ſhall and may plead the General Iſſue to ſuch Action or Suit Fourteen Days before the ſecond Court next after the Entry of ſuch Action, and deliver to the Plaintiff, or to his Attorney or Agent, a Copy of ſuch his Plea, and of his Account or Demand againſt the Plaintiff, with Notice

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in Writing, that he intends to give the ſame in Evidence at the Trial of the ſaid Cauſe, which Account or Demand, on due Proof thereof, ſhall be ſet and allowed againſt the Demand of the ſaid Plaintiff, and a Verdict (if ſuch Cauſe be tried by a Jury) ſhall thereupon be given according to the Evidence, and Judgement ſhall be awarded by the Court for the Plaintiff or Defendant for ſuch Balance as ſhall be found due on the one Side or the other, with Coſts of Suit. 1739.

II. PROVIDED always nevertheleſs, That if ſuch Defendant ſhall neglect to plead the General Iſſue to ſuch Action, and to deliver to the Plaintiff, or his Attorney or Agent, a Copy of ſuch Plea, and of his Account or Demand againſt the Plaintiff, with ſuch Notice in Writing, as aforeſaid, within the Time above limited; then, and in ſuch Caſe, the ſaid Defendant ſhall not be admitted by the Court to offer or give ſuch his Account or Demand in Evidence againſt the Plaintiff at the Trial of the ſaid Cauſe; any thing herein contained to the contrary notwithſtanding. Proviſo.

An Act for the more effectual cleaning and amending the Highways in this Iſland; and to repeal an Act, intituled, An Act for repairing Her Majeſty's Highways.

1740. N° 111.

WHEREAS an Act now in force, intituled, *An Act for repairing Her Majeſty's Highways*, made the third Day of *November*, in the Year One thouſand ſeven hundred and eleven, is, by the great Change of the Circumſtances of this Iſland ſince the making thereof, become uſeleſs in ſome Particulars, and defective and obſcure in others, which make it neceſſary that a new Law be paſſed for the more effectually repairing and amending the Highways of this Iſland; we therefore, Your Majeſty's moſt dutiful, loyal, and obedient Subjects, the Council and Aſſembly of Your Majeſty's Iſland of St. *Chriſtopher*, do moſt humbly pray Your Moſt Sacred Majeſty that it may be enacted and ordained by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Governor in Chief in and over all His Majeſty's *Leeward Charibbee* Iſlands in *America*, the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, and be it, and it is hereby enacted and ordained by the Authority of the ſame, That the abovementioned Act be, and the ſame is hereby repealed and annulled. Former Act repealed.

II. AND be it, and it is hereby enacted and ordained by the Authority aforeſaid, That from henceforth, yearly, all or any Two Juſtices of the Peace in each Pariſh, or if there be not Two Juſtices reſiding in any Pariſh, then the neareſt reſiding Juſtice or Juſtices ſhall meet together ſome Time in the Month of *January*, and by Warrant under their their Hands and Seals nominate and appoint Two ſufficient Inhabitants of the ſaid Pariſh to be Way-wardens of the ſame; and the Perſons ſo appointed, after due Notice thereof, by the Conſtable's Delivery of the ſaid Warrant to them, or one of them, and a true Copy of the ſame to the other, ſhall immediately undertake the Office of Way-wardens for the Pariſh for which they are appointed, and ſhall execute the ſame until others be appointed the Year following; and the Perſons ſo appointed Juſtices to appoint Way-wardens.

1740. as Way-wardens ſhall, within Ten Days after Notice of their Appointment, repair to ſome one or more Juſtices of the Peace, and there take the following Oath, *viz.*

Way-wardens Oath.

I A. B. *do ſwear, That I will impartially execute the Office of Way-warden for the Pariſh* (here name the Pariſh for which he is appointed) *according to all the Powers and Directions given by an Act of this Iſland, intituled,* An Act for the more effectually cleaning and amending the Highways in this Iſland, and to repeal an Act, intituled, *An Act for repairing Her Majeſty's Highways; without Hatred or Favour to any Perſon whatſoever.*

So help me God.

Juſtice, on Neglect of Duty, to forfeit 20*l.*

III. AND be it further enacted by the Authority aforeſaid, That if any Juſtice of the Peace ſhall fail to do his Duty in any Reſpect, as by this Act is before or hereafter required, he ſhall forfeit Twenty Pounds current Money of this Iſland for every Offence or Neglect, to be recovered in any Court of this Iſland by Action of Debt, wherein no Eſſoign, Protection, or Wager of Law, or any more than one Imparlance ſhall be allowed; and one Moiety of the ſaid Forfeiture ſhall be applied to the Uſe of the Informer ſuing for the ſame, and the other Moiety to the Uſe of His Majeſty, His Heirs, and Succeſſors, and be paid into the publick Treaſury of this Iſland; in which Action the Informer, if he recover, ſhall recover alſo full Coſts.

Diſpoſition of the Forfeiture.

Penalty on Way-warden's Refuſal to ſerve.

IV. AND be it further enacted by the Authority aforeſaid, That if any Perſon ſo appointed to be Way-warden for any Pariſh ſhall refuſe to accept the ſaid Office, and to procure himſelf to be ſworn, as herein is directed, he ſhall forfeit the Sum of Twenty Pounds current Money of this Iſland, to be levied by Diſtreſs on his Goods and Chattels, and Sale thereof by publick Outcry, as is uſual in like Caſes, by Warrant under the Hands and Seals of any Two Juſtices of Peace, directed to the Provoſt-marſhal, or his lawful Deputy; and in ſuch Caſe the Juſtices of the Peace ſhall nominate ſome other fit Perſon to ſerve as Way-warden, who ſhall, upon like due Notice, take upon him the Office, under the like Penalty.

Proviſo.

V. PROVIDED always, That no Perſon ſhall be liable to any Penalty for his Refuſal to ſerve as Way-warden, who ſhall prove to the ſaid Juſtices of the Peace, that there are other Perſons legally qualified, and reſiding in the Pariſh, who have not ſerved that Office ſince himſelf laſt did ſerve it, or that he fined for the ſame; and if the ſaid Juſtices ſhall not allow the ſaid Excuſe, then the Party conceiving himſelf aggrieved may appeal to the Governor and Council, who are hereby impowered to hear and finally determine the Confirmation or Diſallowance of ſuch his Nomination to that Office.

Power of the Juſtices.

VI. AND be it further enacted by the Authority aforeſaid, That in caſe it ſhall hereafter happen that any Way-warden ſhall die or remove off the Iſland during the Time of his Appointment to ſerve that Office, or that by the Juſtices Neglect to nominate Way-wardens at the Time directed by this Law, or that by any other Occaſion whatſoever there ſhall not be Two Way-wardens in any Pariſh, that then Two Juſtices ſhall have the ſame Powers as are before given by this Act to nominate and appoint one or more fit Perſon or Perſons to ſerve the ſaid Office until others ſhall be legally appointed; which Perſon or Perſons ſo appointed ſhall be obliged to take upon him or them the ſaid Office, or elſe ſhall be fined, as before in this Act is directed.

VII. AND

1740.

VII. And be it further enacted by the Authority aforeſaid, That all Way-wardens ſhall, within Ten Days after being ſworn into that Office, and within Three Days after all great Rains, view the ſeveral Highways within their reſpective Pariſhes, and whenever the ſaid Ways ſhall want amending, the ſaid Way-wardens ſhall iſſue their Warrant to the Conſtable or Conſtables of their Pariſh to ſummon the ſeveral Inhabitants thereof, who are Owners, Poſſeſſors, or Managers of Slaves, to ſend ſuch a Proportion of their Slaves to work on the Highways, as the Way-wardens in their ſaid Warrant ſhall direct, not exceeding one eighth Part of their whole Number, according to the Liſt laſt taken upon Oath by a Juſtice of Peace of all Slaves within that reſpective Pariſh; and every Juſtice of Peace, who ſhall at any time take a Liſt of the Slaves within any Pariſh of this Iſland, is hereby required to deliver, upon reaſonable Demand, to the reſpective Surveyors of that Pariſh a true Copy of that Liſt.

Way-wardens to iſſue their Warrant for mending the Highways.

VIII. And be it further enacted by the Authority aforeſaid, That every Perſon ſo ſummoned, not being a Woman, ſhall attend with his Slaves in Perſon, or elſe ſend ſome other white Perſon to take the Care of his Slaves, and aſſiſt in cleaning and amending the Highways, from Day to Day, until diſcharged by the Way-wardens, or One of them; and every Slave ſent to the Highways ſhall carry one ſufficient Hough, and every Man-ſlave ſhall carry a Bill or Cutlaſh beſides the Hough; and every Perſon ſending Ten or more Slaves for his Quota, ſhall ſend with them one Iron Crow or Pick-ax, to be employed in working on the Highways.

Slaves to work on the Roads till diſcharged by the Way-wardens.

IX. And be it further enacted by the Authority aforeſaid, That the ſaid Summons for attending the Highways ſhall be given to each Perſon at leaſt Thirty ſix Hours before the Time appointed for Attendance; and if any Perſon duly ſummoned ſhall refuſe or neglect to ſend their full Proportion of Slaves, or to attend himſelf, or, in his Abſence, to ſend a white Perſon to take Charge of them, he ſhall forfeit for the white Perſon the Sum of Six Shillings for each Day, and for every Slave ſo wanting of their Quota, the Sum of Three Shillings for each Day.

Maſters of Slaves to have 36 Hours Notice.

Penalty on Default of Attendance.

X. Provided always, That no Perſon who is not Owner of more than Four Slaves, ſhall be obliged to ſend any to the Highways, but he ſhall be obliged to attend in Perſon, under the Penalty aforeſaid.

Proviſo.

XI. And be it further enacted by the Authority aforeſaid, That the Way-wardens are hereby required, within Three Days after their amending the Highways at any time, to return under their Hands unto the Governor, Lieutenant-governor, or Preſident of the Council for the time being, a juſt and true Liſt of all the Defaulters within their reſpective Pariſhes, who failed of having a white Perſon attending at the Repair of the Highways, or ſending a juſt Proportion of their Slaves, as ordered by the Way-wardens Warrant, and of their particular Defaults; and the Chief Governor, Lieutenant-governor, or Preſident of the Council, is hereby impowered and required to iſſue his Warrant under Hand and Seal to the Provoſt-marſhal, or his lawful Deputy, to levy on the Goods and Chattels of each ſeveral Defaulter ſufficient to pay the Forfeiture of ſuch his Default, with Charges, and to make Sale thereof by publick Outcry at the neareſt Town, as is uſual in like Caſes; and whenever the Negroes are ſummoned to amending the Highways, the Way-wardens ſhall direct them to meet at any Part of the Highways that they ſhall appoint in their reſpective Pariſhes, and to continue working on the ſaid Highways in ſuch Manner as the Way-wardens ſhall direct, for repairing all the Highways in the Pariſh until they are finiſhed.

Way-wardens to return Defaulters in 3 Days.

Penalties how to be levied.

XII. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Way-wardens, or one of them, to direct, or cauſe to be made, convenient Drains or Sluices for carrying the Waters out of the

Drains to be cut.

1740. Highways into any adjacent Lands, without being liable to Moleſtation or Action for the ſame, provided it can be done without great apparent Damage to the Poſſeſſors of the ſaid Lands: And where it ſhall happen that ſome particular Part of a Highway ſhall be waſhed by great Rains, or otherwiſe out of Repair, ſo that a few Hands may mend it, the Way-wardens, or one of them, ſhall and may direct the Maſters, Managers, or Occupiers of One, Two, or more of the adjacent Plantations, to attend with a proportionable Number of Slaves and amend the ſame, and ſuch Work, according to the Number of Slaves employed thereon, ſhall be allowed to the Perſons who attend and ſend their Slaves thereon, out of the next general Attendance and Work that ſhall be in the Pariſh on their Highways.

Highways to be turned through Lands on Occaſion.

XIII. AND be it further enacted by the Authority aforeſaid, That where the Highways ſhall happen to be waſhed into Gutts by great Rains, or otherwiſe rendered impaſſable, and not fit to be amended, there it ſhall be lawful for the Surveyors, with Conſent of the major Part of the Freeholders then preſent at amending the Highways, to turn the Highway through the neareſt adjacent Land; and in that Caſe the Surveyors, and Two Freeholders, ſhall agree with the Proprietor of the ſaid Lands for the Value of the Land ſo taken up for the Highway, which if the Proprietor ſhall refuſe to do, or be abſent from the Iſland, then the Surveyors and Two Freeholders ſhall appraiſe the ſaid Land or Damage which the Owner or Poſſeſſor, or both, ſhall ſuſtain by the Highways being made through his or her Land, and report the ſame under their Hand, and upon Oath taken before any Juſtice of the Peace, which Report ſhall be a ſufficient Voucher to the Treaſurer for the time being to pay the ſaid Appraiſement out of the publick Treaſury.

Owners to be ſatisfied out of the Treaſury.

Owners to be paid all Damages happening to their Slaves.

XIV. AND be it further enacted by the Authority aforeſaid, That if any Slave by working on the Highways ſhall happen to be killed, or otherwiſe damaged, the Way-wardens, or one of them, ſhall certify the Value of ſuch Slave, or the Hurt he has received, on his or their Oaths before a Juſtice of the Peace under his or their Hands, according to the beſt of his or their Judgements, and the Value of ſuch Slave, or the Damage he has received, ſhall be paid for out of the publick Treaſury on ſuch Certificate.

Breadth of the Roads.

XV. AND be it further enacted by the Authority aforeſaid, That the King's lower Highway which leads round the Iſland ſhall be full Twenty four Foot wide, and the upper Highway ſhall be Twelve Foot wide, except the Hill Sides of the ſeveral Gutts, and except particular Places on the *Old Road Bay*, and elſewhere, where the Path cannot be extended to that Breadth without very great Labour and Difficulty, and in thoſe Places it ſhall be ſufficient that the Highway be kept repaired to the Breadth it has uſually been or can be conveniently extended to; and all other Highways in any Pariſh ſhall be kept open and amended to the Width they have cuſtomarily been uſed to be; and no Part of the upper or other Highways ſhall be hereafter opened or deemed as ſuch, which have not been kept open and uſed within Seven Years before the Date of this Act, and the Way-wardens are ſtrictly required to keep all the Highways in their ſeveral Pariſhes extended and repaired to the aforementioned Extents.

Meaſure of ſome particular Paths.

XVI. BE it further enacted by the Authority aforeſaid, That the Path leading from *Francis Guichard* junior's Shop, in the Town of *Sandy Point*, to the Southermoſt Bounds of the Plantation of *Benjamin Markham* junior, Eſquire, ſhall remain as allowed by the Commiſſioners for Sale of the *French* Lands; any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

XVII. AND

1740.

XVII. And be it further enacted by the Authority aforeſaid, That if any Perſon has encroached on the Highway with his Fences, or ſhall hereafter neglect to cut, trim, and keep low all the Trees, Hedges, and Fences within his reſpective Plantation, ſo as the ſame may not be an Encroachment or Nuſance to the Highway, or ſhall throw any of the Trimmings or Loppings of his or their Fences, or any thing out of his or their Land into the Highway, in ſuch Caſe the Surveyors, or one of them, ſhall give Notice under their Hands to the Poſſeſſor or Occupier of the Land to remove his Fences, or to cut and trim the ſame, ſo as the Highway may be of the full Breadth or Extent directed by this Act; which if the ſaid Poſſeſſor or Occupier ſhall refuſe or neglect to do within Fourteen Days after ſuch Notice given him, and being thereof convicted by the Oath of one of the Surveyors before any Juſtice of the Peace, he ſhall forfeit the Sum of Ten Pounds, to be levied on his Goods and Chattels by Warrant from the ſaid Juſtice, directed to the Provoſt-marſhal, or his lawful Deputy, as uſual; and the Surveyors at the next repairing the Highways may cut down and lay waſte all the Fences of ſuch Perſon or Perſons ſo refuſing, as aforeſaid, to remove or trim their Fences, that the Path may be of its juſt Breadth.

Penalty on Owners encroaching on the Highways.

XVIII. Provided always, That where the Lands on the two Sides of a Highway are poſſeſſed by Two diſtinct Owners, there the Perſon who by the Evidence of the Neighbours, or otherwiſe, ſhall appear to the Way-wardens to have encroached on the Highway by his Fences, ſhall be deemed the Offender, and the only Perſon liable to the Penalty aforeſaid.

Proviſo.

XIX. And whereas ſeveral Perſons have made a Practice of feeding and paſturing their Cattle and Stock along His Majeſty's Highways in this Iſland, which not only proves an Obſtruction to the Roads, and inconvenient to Paſſengers, but is frequently attended with Damages and Treſpaſſes to Perſons whoſe Lands lie contiguous to the ſaid Roads; be it enacted by the Authority aforeſaid, That immediately from and after the paſſing of this Act, no Perſon or Perſons whatever, ſhall preſume to feed or paſture any Cattle or other Stock in the Highways or publick Paths of the ſaid Iſland, under Penalty of Three Shillings for each Head of Cattle or other Stock, to be levied by Warrant under Hand and Seal of one of His Majeſty's Juſtices of the Peace for the ſaid Iſland; one Half whereof to be paid to ſuch Perſon as ſhall inform of the ſame, and the other Half to be paid to the Church-wardens of the Pariſh where ſuch Offence is committed, for the Uſe of the ſaid Pariſh.

Penalty on feeding Cattle by the Sides of Roads.

XX. And whereas the Highway which leads through the Mountains from the Pariſh of *Chriſt Church Nichola Town*, on the Windward Side of this Iſland, to the Pariſh of St. *Thomas Middle Iſland*, on the Leeward Side of the ſame, though it be not of that general Advantage as formerly to the whole Iſland, yet is ſtill of great Convenience to Travellers who have Occaſion to paſs from one of theſe Pariſhes to the other, and may be of greater Advantage, by keeping a free and eaſy Communication of one Part of the Iſland with the other, in caſe of a War; be it therefore enacted by the Authority aforeſaid, That the Way-wardens of *Nichola Town* ſhall twice every Year ſummon an uſual Quota of Negroes of their Pariſh, with white Perſons to attend them, and to meet at the Path leading up to Mr. *Spooner*'s lower Work, and from thence the Way-wardens ſhall clean and repair the ſaid Highway to the Bottom of *Nine Turn Gutt*, making the ſame at leaſt Eight Foot wide, and fit for Travellers on Foot or on Horſeback; and in like Manner the Way-wardens of St. *Thomas Middle Iſland*, ſhall clean and amend the ſaid Highway on the Leeward Side of the ſaid

Directions to the Way-wardens of *Nichola Town*,

and of St. *Thomas Middle Iſland*.

1740.

ſaid Iſland, from the lower Highway to the Bottom of the ſaid *Nine Turn Gutt.*

Proviſo.

XXI. PROVIDED nevertheleſs, That it ſhall be lawful for the ſaid Way-wardens to agree with *Charles Pym* Eſquire, or the Perſon who ſhall at any time be in the Poſſeſſion of the Plantation through which the ſaid Highway paſſes, to keep the ſame in conſtant Repair, and to allow the ſaid *Charles Pym*, or other Perſon, for their ſaid Work in proportion for the ſame out of the general Attendances and Work that ſhall be in that Pariſh on their Highways.

How Diſputes about private Paths ſhall be ſettled.

XXII. AND be it further enacted by the Authority aforeſaid, That where any Proprietor of Land claimeth a Right, or hath a Neceſſity for a Path which is to go through another Man's Land below him, and any Diſpute ſhall ariſe thereon, there the Way-wardens, or one of them, with Two Freeholders, One to be made Choice of by each Party, ſhall have full Power to adjudge and determine the ſame, and to lay out a Path at the Expence of the Party that deſires the Path, with the leaſt Inconveniency that may be to each Party; but the Way-wardens ſhall firſt ſwear the Freeholders to do Juſtice without Favour or Affection; and if one Party doth neglect to make Choice of a Freeholder, or doth not appear at the Time appointed, the Surveyors, or one of them, and the Freeholder made choice of by the other Party, ſhall determine the ſame.

Proviſo.

XXIII. PROVIDED, That no Perſon ſhall be intitled to Two private or Plantation Paths through another Man's Lands at one and the ſame Time.

Penalty on diſturbing Officers in the Execution of their Office.

XXIV. AND be it further enacted by the Authority aforeſaid, That every Conſtable refuſing or neglecting to execute any Precept of the Way-wardens; and any Perſon diſturbing the Way-wardens, or Conſtables, or any of them, in the due Execution of their Offices, and being thereof convicted upon Oath before any Juſtice of the Peace, ſhall forfeit the Sum of Five Pounds for every Offence, to be levied by Warrant under the Hand and Seal of the ſaid Juſtice, directed to the Provoſt-marſhal, or his lawful Deputy.

Common Foot Paths to be 6 Foot wide.

XXV. AND whereas it is highly neceſſary that the common Paths leading up to the ſeveral Rivers in this Iſland be kept open, for the Conveniency of the Inhabitants thereof to fetch Water from thence; be it enacted by the Authority aforeſaid, That all Paths commonly known and uſed for River Paths be kept open at leaſt Six Foot wide, ſo that free Ingreſs may be had thereto; and in caſe they ſhould be leſs, the Way-wardens are hereby authorized and impowered to open the ſame, ſo that they do not exceed Six Foot; and any Perſon offending, or ſtopping any

Penalty.

of the ſaid Paths, ſhall forfeit and pay the Sum of Five Pounds current Money, to be recovered and applied as is in this Act before directed: Provided, That this Clauſe, or any Part thereof, does not extend to ſuch Perſons who have any real Property in any of the Rivers aforeſaid.

Penalty on publick Nuſances.

XXVI. AND whereas ſeveral Perſons have uſed a Practice very pernicious to the Inhabitants, and others in the ſeveral Towns of this Iſland, by throwing of Dung, and other Filth, and making of Sinks, ſo that the ſame runs through the Streets thereof, to the great Nuſance of the ſaid Inhabitants; for the remedying ſo great an Evil, be it enacted by the Authority aforeſaid, That any Perſon ſo offending, either by throwing of Dung, or other Filth, or by making of Sinks, and do not immediately, upon Notice thereof by any of the Way-wardens in the Pariſh where any of the Offences aforeſaid are committed, remove the ſame, and being convicted thereof before one or more Juſtices of the Peace for the ſaid Iſland, ſhall forfeit and pay the Sum of Five Pounds for each ſuch Offence; one Half whereof to be paid to the Informer, and the other Half

to

to the Church-wardens of the Pariſh where ſuch Offence is committed, for the Uſe of the ſaid Pariſh, to be levied by Warrant of Diſtreſs under the Hand and Seal of one or more Juſtices of the Peace for the ſaid Iſland, which Warrant ſhall be directed to any Conſtable of the Pariſh where ſuch Offence is committed. 1740.

Penalty on cutting down Woods near Spring-heads.

XXVII. AND whereas great Inconveniencies ariſe by clearing the Mountains and Woods near the Heads of Rivers and Springs, in drying up the Streams, by expoſing them to the Sun; be it enacted by the Authority aforeſaid, That all Perſons that ſhall clean or cut down, or cauſe to be cleaned or cut down ſuch Woods near any Heads of Rivers or Springs that run into the publick Rivers of this Iſland, within Forty Yards of ſuch Heads of Rivers or Springs, ſhall forfeit and pay the Sum of Ten Pounds current Money, to be levied and diſpoſed of as is herein after directed; and if any Way-warden ſhall neglect his Duty, by ſuffering the Ways to lie unrepaired or uncleanſed, or otherwiſe contrary to this Act, he ſhall, upon Complaint made to any Juſtice of Peace upon Oath, be bound to appear at the next Seſſion to anſwer the ſame, or may be preſented at the Seſſions for the ſame, and be there proceeded againſt in the Diſcretion of the Court.

Diſpoſition of Fines.

XXVIII. AND be it further enacted by the Authority aforeſaid, That all Fines and Forfeitures ariſing by this Law, and not otherwiſe herein diſpoſed of, ſhall be for the Uſe of the reſpective Pariſh where ſuch Default is made; and the Provoſt-marſhal, or his lawful Deputy, is hereby required and obliged to pay unto the Church-wardens of ſuch reſpective Pariſh, or one of them, all ſuch Sum or Sums of Money ariſing for Offences committed againſt this Act, and not otherwiſe diſpoſed of, within Ten Days after he ſhall have received the ſame; and the ſaid Monies are hereby appropriated in the firſt Place to amending the Highways, if neceſſary, or elſe to any other Contingencies of ſuch ſaid Pariſh; and if any further or other Sum or Sums of Money ſhall at any time be thought neceſſary by the Way-wardens, and the Majority of the Pariſhioners preſent, to be expended towards amending or keeping in Repair the Highways of any Pariſh, there it ſhall be lawful for the Way-wardens to expend ſuch neceſſary Sums; and the Church-wardens of ſuch Pariſh are hereby required and impowered to pay the ſame out of the Monies in their Hands, or which ſhall come to their Hands by any Act of Veſtries, for the Uſes of ſuch ſaid Pariſh: And if any Perſon or Perſons whatſoever ſhall be ſued or moleſted for any thing done by virtue of this Act, he or they may plead the General Iſſue, and give this Act in Evidence in ſuch Suit; and if the Plaintiff in ſuch Suit be nonſuited, or diſcontinue his Action, or a Verdict be found againſt him, or Judgement be awarded againſt him on Demurrer, in each and every of the ſaid Caſes ſuch Plaintiff ſhall pay treble Coſts of Suit.

General Iſſue.

Treble Coſts.

General Act,

XXIX. AND be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed a General Act, and all Judges, Juſtices, and Juries are to take Notice thereof accordingly.

and perpetual.

XXX. PROVIDED always, That this Act ſhall not be in Force until confirmed by His Moſt Sacred Majeſty; and after Confirmation thereof by His ſaid Majeſty ſignified to His ſaid Majeſty's Chief Governor of His *Leeward Charibbee* Iſlands, and thereupon a Publication of this Act made by the Provoſt-marſhal, or his lawful Deputy; this Act, and every Clauſe, Matter, and Thing herein contained, ſhall be, enure, remain and continue in full Force, Vigour, and Effect in this Iſland for ever.

1740.

№ 112.

An Act for conſtituting a Court Merchant.

Preamble.

WHEREAS many Differences happen between Perſons trading to and from this Iſland, and others reſident thereon, which by reaſon of the Neceſſity of the ſudden Departure of ſuch trading Perſons, and of the Witneſſes concerned therein, cannot be decided in the uſual Courts according to the ordinary Times therein accuſtomed and allowed, to the great Detriment and Injury of ſuch trading Perſons: For the preventing whereof, we Your Majeſty's moſt loyal and obedient Subjects, the Governor and Commander in Chief of all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, and the Council and Aſſembly of Your Majeſty's Iſland of St. *Chriſtopher*, humbly pray Your Moſt Sacred Majeſty that it may be enacted and ordained, and be it, and it is enacted and ordained by the Authority aforeſaid, That the Chief Judge of this Iſland for the time being, or, in caſe of his Death, Abſence, or Sickneſs, the Eldeſt Aſſiſtant, upon Petition of any Perſon or Perſons who ſhall hereafter arrive, and ſuch Perſon or Perſons firſt making Affidavit in Writing before the Chief Judge for the time being, or any Aſſiſtant of the Court of King's-bench and Common-pleas of this Iſland, in Manner and Form following, *viz.*

The Oath.

I A. B. *do ſwear, That I do fully deſign and intend to depart from this Iſland in the Ship or Veſſel now lying in the Road of within this Iſland, by the firſt Departure of the ſaid Ship or Veſſel from this Iſland; and that I did not at my coming to this Iſland, or at any Time ſince, intend to reſide in this Iſland for any Time exceeding Six Months after my Arrival here; and that the Goods by me ſold, and for which I do now deſire to have this Court called, are belonging to myſelf, or to Perſons not reſiding within this Iſland, and are not, directly or indirectly, ſold for the Benefit or Advantage of any Perſon or Perſons reſiding within the ſame.*

Court Merchant to be held in Four Days after petitioning.

Shall cauſe a Court to be held within Four Days after ſuch Petition delivered, and the making due Publication thereof: And that ſuch Perſon or Perſons ſo petitioning, as aforeſaid, ſhall file a Declaration in the Secretary's Office of this Iſland, as uſual in other Caſes, a true Copy thereof, atteſted by the Secretary, or his lawful Deputy, and annexed unto a Writ of Summons, which Writ of Summons ſhall be in the Form following;

Form of the Writ of Summons to the Defendant.

GEORGE the Second, by the Grace of God, King of Great Britain, France, *and* Ireland, *Defender of the Faith,* &c. *To Our Provoſt-marſhal of Our Iſland of St.* Chriſtopher, *or his lawful Deputy, greeting:*

WE command you to ſummon A. B. *to be and appear before Our Juſtices of Our Court Merchant to be held for this Iſland the Day of next, at of the Clock in the Forenoon, at the Town of then and there to anſwer the Action or Actions commenced againſt him by* C. D. *and hereof you are not to fail, as you will anſwer the contrary at your Perils, and do then and there make*

make a due Return of this Writ of Summons.
Witneſs *Our Chief Juſtice of Our ſaid Iſland,* 1740.
or *Our Eldeſt Aſſiſtant.*

Which ſaid Declaration and Writ of Summons annexed, ſhall be ſerved upon the Perſon of the Defendant, or left at his Houſe or moſt uſual Place of Abode, at leaſt Two Days before the Sitting of the Court: And if the Defendant makes Default, and Oath made of being duly ſummoned, or appearing ſhall not join Iſſue of the Matter of Fact, or plead ſome good Matter in bar of the Action, or in Abatement of the Writ or Demur, the Plaintiff's Evidence ſhall be taken, and Judgement ſhall be immediately entered againſt the Defendant; but if the Defendant join Iſſue, plead or demur, then a Day ſhall be given for Trial of the ſaid Matter of Fact, or determining the ſaid Matter of Law the next enſuing Court, which ſhall be held within Four Days after the Sitting of the former; and if at that Day the Defendant make Default when called, Judgement ſhall be entered againſt him, as aforeſaid, and if he does appear, then the Fact to be tried by the Jury to be ſummoned the Day before: And if any Plea in Abatement, or Demurrer be allowed by the Court, then the Plaintiff ſhall immediately amend, paying Fourteen Shillings Coſt, and the Defendant ſhall then join Iſſue, and Judgement ſhall be immediately given on the Verdict, unleſs the Defendant deſire a Day to move in Arreſt of Judgement, which ſhall be granted by the Court, ſo that it be not above Three Days longer Time; and Execution ſhall iſſue thereon the next Day after Judgement, either by *Fieri facias* to take the Goods, or *Capias ad Satisfaciendum* to take the Body of the Defendant, at the Plaintiff's Election, unleſs Judgement ſtaid by Motion in Arreſt of the ſame; and in caſe the Plaintiff ſhall neglect to appear at any Sitting of the Court, when called, then a Nonſuit to be entered againſt him. Form of Proceedings of the Court Merchant.

II. PROVIDED always, That if any Perſon ſhall continue longer upon this Iſland than Six Months together, he ſhall be deemed a Reſident, and not intitled to the Benefit of this Act; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding. When to be deemed a Reſident.

III. AND be it further enacted by the Authority aforeſaid, That whenever any Goods, Chattels, and Negroes, Sugar, Rum, Cotton, Molaſſes, Ginger, Indigo, Tobacco, or any other the Produce of this Iſland, ſhall be taken in Execution by virtue of this Act, that a Warrant ſhall iſſue under the Hand and Seal of the Chief Juſtice of this Iſland, or, in caſe of his Sickneſs or Abſence, under the Hand and Seal of the Eldeſt Aſſiſtant of the Court, commanding the Plaintiff and Defendant, within Two Days, to nominate Two Perſons, on each of their Behalf, to value and appraiſe upon Oath, as uſual, ſuch Goods, Chattels, Negroes, Sugar, Rum, Cotton, and other the Produce of the ſaid Iſland, as above mentioned, together with the Caſk or Bag wherein the ſame is contained; and in caſe either Party ſhall refuſe to nominate Appraiſers, as aforeſaid, or that the Appraiſers ſo nominated ſhall neglect or refuſe to act, or ſhall not agree at what Rate to value the ſaid Goods, that then, and in ſuch Caſe, the Chief Judge, or, in his Sickneſs or Abſence, the Eldeſt Aſſiſtant, is hereby ordered and directed to nominate an Appraiſer or Umpire to value the ſame; and the ſaid Commodities when valued and appraiſed, as aforeſaid, ſhall be delivered to the Plaintiff in Satisfaction of his Debt; and if ſuch Goods, when appraiſed, ſhall come to more than will pay the Plaintiff's Debt, that in ſuch Caſe the Plaintiff ſhall ſatisfy the Defendant for ſuch Overplus. Proceedings on Goods taken in Execution.

IV. AND

1740.

Penalty on Appraiſers or Umpire refuſing to act.

IV. And be it further enacted, That when any Appraiſer or Appraiſers, or Umpire, ſo nominated, and being duly ſerved with the Warrant, ſhall neglect or refuſe to act purſuant to ſuch Warrant, he or they ſhall reſpectively forfeit the Sum of Twenty Pounds current Money of this Iſland, and an Attachment to iſſue againſt ſuch Perſon or Perſons refuſing to pay the ſame; and when paid, to be applied to the Uſe of His Majeſty, His Heirs, and Succeſſors, one Moiety towards building and repairing the Forts and Fortifications of this Iſland, and the other Moiety towards defraying the Charges of the Court; and if ſuch Umpire appointed by the Chief Juſtice or Eldeſt Aſſiſtant, ſhall refuſe to act, as aforeſaid, that then the Chief Juſtice, or Eldeſt Aſſiſtant, is hereby authorized to appoint any other Perſon to be Umpire, who ſhall be under the ſame Penalties as Appraiſers and Umpires before mentioned.

What ſhall be deemed a legal Tender.

V. And be it further enacted by the Authority aforeſaid, That Sugar, Rum, Cotton, Molaſſes, Ginger, Indigo, Tobacco, or any other merchantable Commodities of the Produce of this Iſland, brought down to any legal Paying-place in this Iſland (unleſs a Place be particularly agreed on) in Caſk or Bags, and there tendered (Four Days Notice being given of ſuch Tender) ſhall be a good and legal Tender in all Caſes within this Act, provided the ſame be tendered at a Price that ſhall be approved by the Jury that tries the Cauſe.

Court for Trial of Actions not exceeding 100 *l.*

VI. And be it further enacted, That the Chief Juſtice of this Iſland, or, in caſe of his Death, Abſence, or Sickneſs, the Eldeſt Aſſiſtant, and any Two of the other Aſſiſtants, be, and are hereby appointed and authorized to hold a Court for Trial of all Actions of Debt, or Caſe for Goods, Wares, and Merchandizes, not exceeding the Sum of One hundred Pounds, which ſhall be proſecuted, as aforeſaid, by any tranſient Perſon againſt a Reſident of this Iſland, or by a Reſident againſt a Tranſient, or by a Tranſient againſt a Tranſient.

Court Charges.

VII. And be it further enacted, That all Actions proſecuted by virtue of this Act, the ſame Fees ſhall be paid to the Chief Juſtice, Secretary, and Marſhal, as are taken by the Docket of Fees appointed for that Purpoſe, with this Alteration only, that where any Cauſe comes to be tried by a Jury, the Plaintiff ſhall pay down Forty two Shillings current Money of this Iſland into Court, to defray the Charges of the Jurors, which is to be paid equally amongſt the Jurors, after a Verdict brought in, and not before; which ſaid Forty two Shillings ſhall be allowed in Coſts of Suit.

Manner of Reſidents ſuing Tranſients.

VIII. And be it further enacted by the Authority aforeſaid, That where any Perſon or Perſons, being a known Reſident or Reſidents, Freeholder or Freeholders within this Iſland, ſhall deſire any Court to be called by virtue of this Act, for the proſecuting any tranſient Perſon for Debt, or in any Action of the Caſe for Goods ſold, not exceeding One hundred Pounds, ſuch Perſon or Perſons, ſo deſiring ſuch Court to be called, ſhall not be obliged to make any ſuch Affidavit as is required where the tranſient Perſon is the Plaintiff, but ſhall and may proceed by Warrant of Arreſt, as is uſual againſt ſuch tranſient Perſon or Perſons, who ſhall be obliged to find Security, by Two ſufficient Freeholders, to anſwer the Effect of the Suit, and ſatisfy the Judgement, or elſe to ſurrender the Body of the Defendant, as uſual in Caſes of Bail, or elſe the Defendant ſhall be and remain in Cuſtody; and in the laſt mentioned Caſe the Plaintiff ſhall only be obliged to file his Declaration Two Days, excluſive, before the next Court Day, and ſhall not be obliged to any other Service thereof.

IX. And be it, and it is hereby enacted by the Authority aforeſaid, That all Debts due, as aforeſaid, not exceeding Ten Pounds current Money

ney of this Iſland, ſhall be determined, upon Complaint, by the Court alone, without a Jury, for which no more Fees ſhall be taken than for Complaints in the Courts of King's-bench and Common-pleas. 1740. Small Debts.

X. AND be it enacted by the Authority aforeſaid, That all Courts Merchant to be called by virtue of this Act, ſhall be held in the Town neareſt to the Place of Abode of the Defendant. Court Merchant neareſt the Defendant.

XI. AND be it further enacted by the Authority aforeſaid, That the Court hereby eſtabliſhed ſhall be a Court of Record for and during the Continuance of this Act; and the Jurors making Default of Appearance, ſhall be liable to be fined by the Court in a Sum not exceeding Forty Shillings. Court of Record. Jurors Default.

An Act for reviving an Act, intituled, An Act for continuing an Act, intituled, *An Act for reviving an Act, intituled,* An Act for continuing the Work of the Fortifications, Forts, and Batteries of this Iſland, and for obliging all Owners and Poſſeſſors of Slaves to ſend a Proportion of their ſaid Slaves to the ſame, *for ſuch Time as therein is mentioned; and for amending and altering ſeveral Parts and Clauſes in the ſaid Act mentioned and contained.* № 113. Expired.

An Act for appointing James George Douglas *Eſquire, Agent in* Great Britain *for the Iſland of St.* Chriſtopher, *in the Room of* Richard Coope *Eſquire; and for ſettling a Salary upon him during the Time of his Agency.* № 114.

WHEREAS *Richard Coope* Eſquire, late Agent in *Great Britain* for the ſaid Iſland of St. *Chriſtopher*, hath declared his Reſolution of not acting longer in that Capacity: And whereas it is highly neceſſary that the People of this Iſland ſhould have a proper Perſon to tranſact their publick Affairs in the Kingdom of *Great Britain*: We therefore Your Majeſty's moſt dutiful and loyal Subjects, the Commander in Chief of all Your Majeſty's *Leeward Charibbee* Iſlands in *America*, the Council and Aſſembly of Your Iſland of St. *Chriſtopher*, taking the ſame into Conſideration, have choſen *James George Douglas* Eſquire, to be Agent for the ſaid Iſland; and we do moſt humbly pray Your Moſt Excellent Majeſty New Agent choſe.

1740. Majeſty that it may be enacted, and be it, and it is hereby enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the ſaid Commander in Chief, the Council and Aſſembly of the ſaid Iſland of St. *Chriſtopher*, and by the Authority of the ſame, That *James George Douglas* Eſquire, be, and he is hereby appointed to be Agent for the ſaid Iſland in the Kingdom of *Great Britain*; and that he the ſaid *James George Douglas* ſhall have and receive out of the Treaſury of the ſaid Iſland, yearly, and every Year, during the Time he ſhall continue Agent for the ſaid Iſland, the Salary of One hundred Pounds Sterling Money of *Great Britain*, the firſt Payment thereof to begin and be made within one Year next and immediately after the Date of this Act; and the Treaſurer of the ſaid Iſland for the time being is hereby impowered and ordered to ſhip or remit, yearly, and every Year, out of the publick Levies raiſed or to be raiſed within the ſaid Iſland, ſufficient to pay and diſcharge the ſaid Salary.

Salary ſettled on the new Agent.

F I N I S.

A N

ABRIDGMENT

OF THE

Acts of Aſſembly,

PASSED in the

Iſland of St. *Chriſtopher*;

From 1711, to 1740, inclusive.



LONDON:

Printed, by Order of the Lords Commiſſioners of Trade and Plantations, by *John Baskett*, Printer to the King's Moſt Excellent Majeſty. M.DCC.XL.



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AN

AN ABRIDGMENT OF THE Acts of Aſſembly OF THE Iſland of St. *Chriſtopher*.

N° 11. Aſſemblies.

I. § 1. *Enacted*, That ſo often as the Council and Aſſembly ſhall be ſummoned to meet, each Member ſhall appear to proceed on Buſineſs at Nine o'Clock in the Morning (Excuſes allowed, if approved by the reſpective Houſe) on Penalty, if a Counſellor, of Three Pieces of Eight; if an Aſſemblyman, Eighteen Shillings current Money; to be paid to the Clerk, for the Uſe of the reſpective Houſe: And in caſe of Refuſal, the Marſhal ſhall diſtrain, by Warrant from the Governor, or Speaker of the Aſſembly.

II. § 2. Provoſt-marſhal neglecting to give timely Notice to the Members of the Time of meeting, according to his Duty, by leaving Writing at their Houſes 24 Hours before the Day of meeting, unleſs by ſpecial Warrant upon Emergencies, ſhall forfeit Forty Shillings; to be deducted out of his Salary due from the Publick.

III. § 3. The Members of the Council and Aſſembly being at great Charge, ſhall be allowed Six Shillings current Money each Time they meet; to be paid quarterly by the Treaſurer, out of the Fund raiſed upon Tavern Licences.

IV. § 4. And that the publick Affairs may be better attended, and no want of a *Quorum* of the Aſſembly, every Perſon refuſing to ſerve as an Aſſemblyman, when duly elected, ſhall forfeit Fifty Pounds; to be recovered by the Governor's Warrant to the Provoſt-marſhal, upon the Offender's Goods, for the Uſe of the Publick.

V. § 5. Proviſo, That no Perſon ſerving one Year, ſhall be obliged to ſerve in the Aſſembly the Year following, if he certify the ſame at the Place of Election.

N° 12. VI. § 1. *Enacted*, That every white Man profeſſing the Chriſtian Religion, being free-born, or naturalized Subjects, twenty one Years old, and having ten Acres of Land, freehold, in the Iſland, or Buildings of the yearly Value of Ten Pounds current Money, ſhall be deemed a Freeholder, and capable of electing, or being elected a Repreſentative.

VII. § 2. And Joint-tenants, who have Shares of Land or Buildings amounting to ten Acres of Land, or Ten Pounds *per Annum* Value in Building, ſhall be deemed Freeholders; but

leſs than that Quantity or Quality, ſhall not be eſteemed a Freeholder.

VIII. § 3. No Perſon at Election of Repreſentatives ſhall be deemed a Freeholder, who ſhall not produce a Conveyance of his Eſtate, acknowledged before the Governor, or a Judge of the Court of Common-pleas, and recorded in the Secretary's Office preceding the Date of the Writ of Election, and make Oath if required, that the Deeds produced are real and abſolute Deeds, and not under Colour; and that he is in Poſſeſſion of ſuch Eſtate, and receives the Profits thereof, and is under no Obligation to ſurrender the ſame after voting, or being elected; except Perſons who claim by Deeds executed in *Great Britain*, or *Ireland*, and proved there, and recorded in the Secretary's Office; except alſo ſuch who claim by Will duly recorded, and ſhall anſwer ſuch Queſtions on Oath, as ſhall be demanded concerning the ſame by any Freeholder preſent.

IX. § 4. And if any Perſon refuſe to take ſuch Oath, he ſhall be debarred from giving his Vote for electing, or from being elected a Repreſentative.

X. § 5. All Writs of Election ſhall be iſſued by the Governor, with Conſent of the Council, in the uſual Form, and directed to the Members of the Council ſeven Days before the firſt Day of Election; and the Freeholders of each Pariſh ſhall be ſummoned three Days before their reſpective Elections.

XI. § 6. To prevent Diſputes in taking the Polls, the Perſon to whom the Writ is directed, ſhall, in a Paper of ſeveral Columns, ſet down the Names of the Candidates, and cauſe each Voter to ſign under the Name he votes for; which Paper ſhall be delivered to the Aſſembly at their firſt Meeting.

XII. § 7. No two Pariſhes ſhall have their Elections in one Day; but ſhall be, the firſt Day for St. *Mary's Cayon*; the ſecond, *Chriſt Church*; and then St. *John Capiſterre*, St. *Anne Sandy Point*, St. *Thomas Middle Iſland*, and *Trinity Palmetto Point*, ſucceſſively, convened at a proper Place to elect their Repreſentatives.

XIII. § 8. Whoever has a ſufficient Eſtate in freehold in any one Pariſh, may be elected for any other Pariſh in the Iſland, although he has no Eſtate in that Pariſh.

XIV. § 9. If any Aſſemblyman refuſe to take the State Oaths, as are appointed in the Governor's Commiſſion, he ſhall be incapable of ſitting and voting; upon which Caſe, or in caſe of the Death of any Member, or leaving the Iſland, the Governor ſhall, in twenty Days, iſſue a new Writ for chooſing another Perſon.

XV. § 10. Every Perſon violating Elections, by falſe Returns, Menaces, Threats, or Force, or by other indirect Ways procure Votes, or abuſe Perſons for voting; or any Military Officer or Magiſtrate attempting to overawe Voters, ſhall, upon Proof made on Oath before the Aſſembly, who have Power to adminiſter the ſame, and to ſend for Perſons, Papers, and Records, forfeit Fifty Pounds.

XVI. § 11. Perſons refuſing to deliver ſuch Papers, to be committed by a Juſtice till they deliver the ſame, and bound over to the next General Seſſions of the Peace, and if there convicted, then to be fined Fifty Pounds.

XVII. § 12. If any ſuch Offender be choſen an Aſſemblyman, after Conviction of ſuch Practices, he ſhall be incapable to ſit in that Aſſembly, and liable to the Fines.

XVIII. § 13. If any Perſon, without juſt Grounds, ſhall impeach another as an Offender againſt this Act, or any Juſtice of the Peace neglect his Duty, he ſhall forfeit Fifty Pounds; to be recovered by the Treaſurer in the Court of Common-pleas, if the Action be brought within three Courts after the Offence.

XIX. § 14. To prevent perpetuating Aſſemblies, no Aſſembly ſhall continue more than one Year from their firſt meeting.

XX. § 15. All Diſputes about Elections, or Qualifications of Aſſemblymen, ſhall be tried only by the Repreſentatives, and the ſame ſhall be decided by Plurality of Votes, according to the Practice of the Commons in *Great Britain.*

N° 71. XXI. § 1. THE laſt foregoing Act of 1711. *for preſerving the Freedom of Elections*, &c. is hereby repealed.

XXII. § 2. The Number of Aſſemblymen ſhall be 24, and 15 ſhall be a *Quorum.*

XXIII. § 3. The Pariſh of St. *George Baſſeterre* ſhall ſend four; St. *Peter Baſſeterre*, two; St. *Mary Cayon*, three; *Chriſt Church*, two; St. *John Cabeſterre*, three; St. *Paul Cabeſterre*, two; St. *Anne Sandy Point*, three; St. *Thomas Middle Iſland*, two; and *Trinity Palmetto Point*, three.

XXIV. § 4. The Bounds of the three Towns of *Baſſeterre*, *Old Road*, and *Sandy Point*, are aſcertained. *See the Act.*

XXV. § 5. Every white Freeholder of ten Acres of Land, or of Ten Pounds *per Annum*, if in a Town, ſhall be Electors in the Pariſh where their Qualification lies.

XXVI. § 6. Joint-tenants, or Tenants in common, whoſe Share amounts to ten Acres of Land, or ten Pounds *per Annum*, ſhall be qualified to vote, or elſe not.

XXVII. § 7. All Candidates, and Voters at Elections, ſhall be ſworn to their Qualifications, if required; and any Perſon refuſing to ſwear, ſhall be deemed unqualified: New Candidates, or Electors, ſhall produce their Deeds, to prove their Qualifications, or be rendered unqualified.

XXVIII. § 8. No Deed ſhall qualify any Elector, or Repreſentative, unleſs it has been proved and recorded before the Date of the Writ of Election; and ſhall be ſworn to by the Owner, at the Election, to be a true Deed, and that he is in Poſſeſſion, and under no Promiſe to ſurrender it after voting, or being elected;

elected; with an Exception in favour of Deeds executed in Foreign Parts, and recorded in the Iſland, and of thoſe claiming by Wills proved; and the Perſon to whom the Writ is directed, may ask any Queſtion on Oath, concerning the Qualifications, if required by a Voter or Candidate.

XXIX. § 9. Every Perſon refuſing to take ſuch Oath, ſhall be deemed unqualified to vote, or be elected.

XXX. § 10. All Writs for Elections ſhall be iſſued by the Governor, and directed to the Members of the Council, in the Order preſcribed in the Act: And the Members of the Council, who have Writs for taking Polls, ſhall be ſworn to make a juſt Return: And to prevent Diſputes in taking Votes, the Candidates Names ſhall be ſet in Paper Columns, and every Voter ſhall ſubſcribe his Name under it; which Paper ſhall be delivered to the Repreſentative at his firſt meeting in the Aſſembly.

XXXI. § 11. Every Freeholder of twenty one Years old, and having forty Acres of Land, or a Houſe in a Town worth Forty Pounds a Year; or an Heir Apparent to eighty Acres of Land, or Eighty Pounds *per Annum*, may be elected a Repreſentative.

XXXII. § 12. No Judge, Secretary, Marſhal, Treaſurer, or Perſon concerned in Taxes, ſhall be a Repreſentative; nor ſhall they meddle in Elections, on Penalty of One hundred Pounds: And every Perſon who ſhall ſit or vote in the Aſſembly, and not qualified, ſhall forfeit One hundred Pounds.

XXXIII. § 13. No two Pariſhes ſhall elect Members in one Day; the firſt Election ſhall be at St. *George Baſſeterre*, and continue from Eight in the Morning till Twelve at Noon; the ſecond, at St. *Peter's Baſſeterre*; the third, at St. *Mary Cayon*; the fourth, at *Chriſt Church*; the fifth, at St. *John Cabeſterre*; the ſixth, at St. *Paul Cabeſterre*; the ſeventh, at St. *Anne Sandy Point*; the eighth, at St. *Thomas's*; the ninth, at *Trinity Palmetto Point*, Day after Day (*Sundays* excepted) at the Hours aforeſaid.

XXXIV. § 14. Every Perſon qualified to be elected in one Pariſh, may be elected in any other; but every Perſon elected, and refuſing to take the State Oaths, ſhall be incapable of ſerving as a Member: And if any Member die, or be abſent from the Iſland, without Leave of the Houſe, above ſixty Days, the Governor may iſſue a new Writ to chooſe another.

XXXV. § 15. Every Perſon violating the Freedom of an Election, by falſe Returns, Threats, Force, or by any indirect Way procure a Vote; or ſhall abuſe any Freeholder for voting otherwiſe than he would have had him; or any Officer that ſhall endeavour to over-awe any Freeholder to vote contrary to his Inclination, ſhall forfeit One hundred Pounds.

XXXVI. § 16. No Aſſembly ſhall continue above one Year from the Time of their firſt meeting.

XXXVII. § 17. Diſputes about Elections and Qualifications of Members, ſhall be decided by the Houſe, as is done by the Commons of *Great Britain*; and no Practice to the contrary ſhall be drawn into Example, to the Prejudice of the People of the Iſland.

N° 88. Agent.

ENacted, That *Richard Coope* Eſquire, being appointed Agent for this Iſland in *Great Britain*, ſhall receive out of the Treaſury of the Iſland, yearly, and every Year, during the Time he ſhall be Agent, the Salary of One hundred Pounds Sterling Money of *Great Britain*; and the Treaſurer is ordered to ſhip yearly out of the Taxes, Sugar, or other Goods, ſufficient to pay and diſcharge the ſaid Salary.

N° 57. Ballaſt.

I. § 1. ENacted, That Maſters of Veſſels caſting or unlading in any Haven, Road, or Creek, any Stones, Ballaſt, Rubbiſh, Gravel, or Filth, but only on Land, above full Sea Mark, ſhall forfeit Twenty Pounds; Half to the Publick, and Half to the Informer.

II. § 2. Penalties to be recovered before the Council of the Iſland, or Judges of the King's-bench or Common-pleas; who ſhall levy the ſame, by Warrant to the Provoſt-marſhal, on the Goods of the Offender; and for want of Diſtreſs, the Offender ſhall be committed till he pay it.

N° 43. Brimſtone-hill.

I. § 1. ENacted, That convenient Proportions of Land ſhall be laid out within the Fortifications thereon; and that any Inhabitant may build a Houſe twenty four Foot in Front, with a Ciſtern behind it, which they or their Aſſigns, being reſident in the Iſland, ſhall enjoy fifty one Years, at a Peppercorn Rent.

II. § 2. Provided, That no Perſon ſhall have more than twenty four Foot in Front, and eighty Foot deep: The Walls of all the Houſes are to be of Stone or Board, ſeven Foot high, and covered with Shingles, and no Thatch to be allowed; and to be built in three Years.

III. § 3. In three Years a Chart ſhall be made of the Allottments which ſhall be built upon, with the Names of the Builders, ſigned by the Governor, one Counſellor, and two Aſſemblymen, and returned into the Secretary's Office, and there recorded, in order to prevent Diſputes about the Property of ſuch Proportions or Buildings.

N° 95. IV. § 1. PRoportions of Land to be laid out on *Brimſtone-hill*, and in *Charles Fort*, and *Fort Londonderry*, for Inhabitants

Inhabitants to build Houſes on, at a Peppercorn Rent: Provided, none have more than twenty four Foot in Front, and ſixty Foot in Depth, and built with Stone Walls, and not thatched, and built in the Manner herein directed, within three Years; and no Proportion of ſuch Land or Houſe to be ſold to any Perſons, but Inhabitants or Freeholders on the Iſland.

V. § 2. To prevent diſputed Titles, ſo ſoon as any Perſon has built a Houſe, the Governor ſhall give a Patent for it, to him and his Heirs for ever, at the Rent aforeſaid.

VI. § 3. Sir *Charles Payne*'s Houſe on *Brimſtone-hill*, ſecured to him and his Heirs for ever.

N° 1. Courts.

I. § 1. ENacted, That a Court ſhall be held in this Iſland, conſiſting of a Chief Juſtice, and four other Juſtices commiſſioned by the Governor, three whereof ſhall be a *Quorum*, to try all Cauſes, Suits, and Proſecutions in the Iſland, according to the Laws and Cuſtoms of *England*, and of this Iſland, taking firſt the State Oaths, and the Oath of Office, as therein preſcribed.

II. § 2. Courts ſhall be held alternately in the Leeward and Windward Diviſion of the Iſland on the ſecond *Tueſdays* in *March*, *April*, *May*, *June*, *July*, and *Auguſt*,, and to be continued or adjourned at the Diſcretion of the Judges; provided no Adjournment be above ten Days, or to any other Place.

III. § 3. All Entries of Actions ſhall be ten Days before each Court: In Actions of Account, Bonds, Bills, or *Aſſumpſit*'s, the Plaintiff ſhall give a Copy of his Account or Charge three Days after the Entring Days are over: And there ſhall be no Declaration, but a Summons for the Defendant's Appearance, by the Chief Juſtice, or, in his Abſence, by another Judge, in Manner herein preſcribed, to be ſerved ſix Days before Court.

IV. § 4. In all Actions of Slander, Ejectment, Dower, Covenant, Replevin, Detinue, Waſte, and Treſpaſs, the Defendant ſhall be ſerved with a Declaration along with the Summons; in the Defendant's Abſence, Notice left at his Dwelling in the Manner here preſcribed, ſhall be deemed a good Summons.

V. § 5. Defendant abſent from the Iſland, and leaving no Attorney, his Effects ſhall be liable to the Plaintiff's Suit, for Debts contracted in the Iſland; and a Summons ſhall be left at his laſt Abode, and nailed upon the Court-houſe Door; but if he have a Freehold, the Summons ſhall be left on the Freehold, and nailed on the Court-houſe Door.

VI. § 6. If Default be made by the Defendant at the ſecond Court, Judgement ſhall paſs on *Nihil dicit*; provided no Execution ſhall iſſue againſt a Defendant known to be abſent from the Iſland, till next Court Day: If the Defendant prove he was really abſent, and hath good Matter to plead, then he ſhall be admitted to try for his Remedy; and if no ſuch Matter appear, Execution ſhall iſſue; and in Judgements by Default, the Plaintiff proving his Caſe, the Debt, or Damage, with Coſt, as by Writ of Enquiry.

VII. § 7. Provided, where Judgement paſſeth by Default, when the Defendant is abſent, and hath made no Attorney, the Plaintiff ſhall give Security to refund, if it appear in two Years there was not ſo much due.

VIII. § 8. Provided alſo, That if the Defendant be under natural Incapacity, he may, within one Year after ſuch Incapacity is removed, renew the Cauſe, and try it again.

IX. § 9. On Joinder in Demurrer, the Judges may appoint a Day within fourteen Days after ſuch Joinder, to hear it; and all iſſuable Pleas ſhall be tried, if conveniently may be, at the ſame Court; but upon a reaſonable Cauſe, it may be adjourned to the next Court: Upon Special Plea or Demurrer, the Plaintiff ſhall file his Replication or Rejoinder ſeven Days before Court; and if the Defendant pleads Special, he ſhall file it twelve Days before the ſecond Court, or be obliged to plead the General Iſſue; and immediately after Judgement, the Judge ſhall grant Execution in the Form herein preſcribed.

X. § 10. Provided, That no Executions ſhall iſſue between the laſt Day of *Auguſt*, and the firſt Day of *March*, yearly.

XI. § 11. But in regard the levying upon Land is difficult to be put in Practice, and to allow the Defendant all reaſonable Means to ſave his Inheritance, it is enacted, That where Judgement ſhall be had againſt a Defendant, whoſe Lands can be let at ſuch a Rent as will in five Years ſatisfy the Plaintiff, and Five *per Cent.* Intereſt, in ſuch Caſe an Extent may be put in Practice: Provided, that the Plaintiff ſhall not be obliged to take ſuch Lands at a reaſonable Extent; but where Lands are not let out before Judgement, the Defendant ſhall find a Tenant within thirty Days after Judgement, who will anſwer the Intent of this Act.

XII. § 12. Where a Jury-action is depending, and a Verdict given, each Juryman ſhall receive Eighteen Pence out of the Marſhal's Fees.

XIII. § 13. If it appear to the Judges in Court, That the Defendant hath not wherewith to ſatisfy the Judgement, they may grant a *Capias* upon the Judgement.

XIV. § 14. If Goods taken in Execution are appraiſed, the Judge ſhall ſwear the Appraiſers in Manner here preſcribed: And Goods taken in Execution, ſhall be publiſhed for Appraiſement and Sale, and to be ſold by publick Outcry, if Lands, in eighty Days; Negroes, in twenty eight Days; other Goods, in ten Days; and Appraiſements ſhall be by two Planters,

and

and two Tradeſmen, by Warrant from the Judge; and Appraiſer refuſing to act, ſhall forfeit Five Pounds.

XV. § 15. Proviſo, if the Defendant give double Security, he ſhall have the forementioned Times allowed him for Redemption, and the Effects ſhall remain in his own Hands.

XVI. § 16. If the Marſhal ſhall refuſe to ſign a Bill of Sale of ſuch Eſtate as is found on the Defendant, to the Plaintiff or Purchaſer, he ſhall forfeit double the Value; and ſuch Bills of Sale ſhall be ſigned and ſealed, and filed in the Secretary's Office, and ſhall be valid to the Plaintiff againſt the Defendant, or any claiming under him by any ſubſequent Title; and the Overplus on Sale, if any, ſhall be returned to the Defendant in ten Days, and the Defendant ſhall pay all Charges; and if Merchandize be ſeized in the Country, he ſhall be at the Charge of carrying it to the next Town for Appraiſement and Sale, as ſhall be judged reaſonable by the Chief Juſtice, or other Judge.

XVII. § 17. Depoſitions of Perſons abſent by Sickneſs, or bound off the Iſland, ſhall be eſteemed in all Actions as Evidence, if taken by a Judge, on two Days Notice to the Party againſt whom they are taken; and all Perſons having Actions brought againſt them, and acquitted by Verdict, ſhall have the ſame Coſts, as if Judgement had been given againſt the Plaintiff by Verdict which acquitted all the Defendants.

XVIII. § 18. Six Days before Court, the *Venire facias* ſhall iſſue, to ſummon Jurymen; and Perſons not appearing, or withdrawing without Leave, ſhall forfeit Forty Shillings; and in caſe of a Deficiency, a Tale of Standers-by ſhall be returned by the Marſhal, who, on Refuſal, ſhall alſo forfeit Forty Shillings.

XIX. § 19. This Court may, without a Jury, determine all Actions not above 6 *l.* current Money, or 1000 *lb.* of Sugar; and alſo all Caſes relating to Servants Wages, or Debts due to Artificers, for Work done, not exceeding 2000 *lb.* of Sugar, or 12 *l.* current Money.

XX. § 20. No Perſon to practiſe Law, or give Advice for Fee or Preſent, until taking the State Oaths and Teſt, with an Oath there inſerted, and be regularly admitted by the Court, on Penalty of Fifty Pounds; the Oaths to be adminiſtred by the Governor, or Chief Juſtice in Court, and a Certificate thereof ſhall be filed in the Secretary's Office before Admittance.

XXI. § 21. No Lawyer ſhall be allowed to plead in Court, when another cannot be had for the other Party to oppoſe him.

XXII. § 22. If there be but two Lawyers to be had, and both be retained on one Side, the Court ſhall order one of them to return his Fee, and plead for a uſual Fee on the other Side, having Reſpect to his Oath.

XXIII. § 23. The Secretary ſhall enter all Declarations, Pleas, or Proceedings, in bound Books, in Words at Length, on Penalty of One hundred Pounds; and his Fees ſhall be paid by the Plaintiff, and allowed in Coſts; and all Writs of *Scire facias*, ſhall be ſerved at leaſt four Days before each Court.

XXIV. § 24. All Contempts and Misbehaviours in Court, by unhandſome or provoking Language; and all extraordinary Neglects or Offences of Coroners, Marſhals, Clerks, or other Officers, ſhall be puniſhed by Fine, at the Diſcretion of the Court; and all Fines impoſed by this Act, and all Officers Fees, ſhall be levied by Attachment, ſigned by the firſt Judge on the Bench, without any other Suit.

XXV. § 25. All Titles by Ejectment may be brought to Trial in feigned Names; and all Writs of *Habere facias Poſſeſſionem*, be executed, as uſually in *England*.

XXVI. § 26. Every Marſhal's Deputy, or Clerk of the Court, officiating, pleading, or adviſing as a Counſellor or Attorney, ſhall forfeit Fifty Pounds.

XXVII. § 27. No Perſon who is Owner of 15 Acres of Land, or 10 Slaves, or of a Townhouſe worth Ten Pounds a Year, ſhall be liable to a *Capias*, but ſhall anſwer by Summons; and all other Perſons ſhall be liable to a *Capias*; and all thoſe who ſend their Slaves or Effects off the Iſland, and thereby give Occaſion to ſuſpect it is done with a fraudulent Deſign, ſhall be liable to Arreſts.

XXVIII. § 28. Writs of Error or Appeal, having not uſually been allowed under the Value of 300 *l.* and the Governor being often abſent, it is requeſted, that the Chief Governor will ſubſtitute the Lieutenant-governor, or Preſident of the Council, to receive and hear Appeals, and Writs of Error in his Abſence: And all Writs of Error to reverſe Judgement, ſhall be ſigned by the Chief Governor, or, in his Abſence, by his Subſtitute, who, with four of the Council, ſhall determine all Errors, or Appeals from this Court, of above the Value of 100 *l.* and in all Cauſes of above the Value of 500 *l.* either Party may appeal to the Crown, according to the Directions given in the Governor's Inſtructions, and that Errors be aſſigned before the Writ is granted: And all Appeals in the Nature of Error, ſhall be granted by the Court: And inſtead of a *Certiorari*, a Warrant from the Chief Juſtice, on Security given in double the Value, ſhall oblige the Clerk to return a Tranſcript to the Judges, in Error; and Judgement ſhall be given upon Errors or Appeals, in one Month after the Aſſignment of Error, and Certification of ſuch Records.

XXIX. § 29 & 30. Judges in Error, before they hear Cauſes, ſhall take an Oath herein preſcribed; and Security in double the Judgement, ſhall be given upon all Writs of Error and Appeals.

XXX. § 31. All Fines impoſed by this Act, and not otherwiſe applied, ſhall be Half to the contingent Charges of the Court where impoſed, and Half towards maintaining of Priſons.

N. B. *The foremention'd Act,* N° 1. *was repealed by the 63d Clauſe, or Section, of the Act,* N° 59, *paſſed in* 1724. *but there appearing ſome material Objections againſt that Act of* 1724, *it was refuſed Approbation by the Crown, but ſuffered to remain probationary; therefore both the Acts are printed.*

N° 59. XXXI. § 1. *Enacted,* That a Court of King's-bench and Common-pleas ſhall be held, conſiſting of a Chief Juſtice, and four Aſſiſtants, to be appointed by the Governor, who may hear, try, and determine, according to the Laws of *England,* and of the Iſland, all Actions, Suits, and Proſecutions at Law.

XXXII. § 2. The Judges to take the State Oaths, and Oath of Office, as preſcribed in the Act.

XXXIII. § 3. The Judges have the ſame Authority, as the Judges of the King's-bench and Common-pleas at *Weſtminſter,* but ſubject to the Authority of the Power of the Court of King's-bench at *Weſtminſter.*

XXXIV. § 4. Courts to be held the ſecond *Tueſday* in *March, April, May, June, July,* and *Auguſt,* yearly, and may be continued or adjourned by any two Juſtices for 14 Days only.

XXXV. § 5. And two Judges may hear and try all Iſſues; but three muſt hear Arreſts of Judgement, or Pleas of Matter of Law.

XXXVI. § 6. All Actions ſhall be entred 12 Days before the Sitting of each Court; and Declarations and Summons ſerved ſix Days before Court, excluſive of the Court-day; and the Form of a Writ of Summons ſhall be as in the Act. If a Defendant conceal himſelf, or be abſent from the Iſland, the Summons or Declaration left at his Place of Abode, and another fixed up at the Court-houſe Door, ſhall be deemed good Service.

XXXVII. § 7. Goods of abſent Perſons may be attached, and taken into the Hands of the Marſhal, for a Pledge to anſwer Demands till Trial.

XXXVIII. § 8. Provided, that if an Agent for the abſent Perſon ſhall give the Marſhal Surety to anſwer Judgement, then the Marſhal ſhall deliver to him ſuch Goods.

XXXIX. § 9. Provided alſo, that the Plaintiff ſhall give Surety to anſwer Damages to the Defendant, in caſe Judgement paſs againſt him, or he be nonſuited, or diſcontinue, or the Defendant in 12 Months reverſe the Judgement.

XL. § 10. All Actions ſhall be tried at the ſecond Court after brought, and Judgement given, unleſs ſufficient Cauſe of an Arreſt of Judgement appear: And if the Defendant fail of appearing at the ſecond Court, Judgement ſhall go againſt him; but if the Defendant be abſent from the Iſland, another Court ſhall be allowed him to plead and try the Iſſue: And in Judgements by Default, the Plaintiff may prove his Cauſe in Court, as well as by Writ of Enquiry: And Defendants under Diſabilities, may have Remedy when the Diſability is removed.

XLI. § 11. Special Pleas and Demurrers ſhall be filed and ſerved 14 Days before next Court, or elſe the Defendant ſhall plead the General Iſſue; and the Plaintiff ſhall deliver his Plea or Replication Eight Days before Court, or elſe the Defendant ſhall be allowed to the Third Court: And on joining in Demurrer, the Judges ſhall hear it in 14 Days, and not adjourn a Plea more than One Court.

XLII. § 12. All Pleadings, Verdicts, and Judgements, ſhall be entred by the Secretary in his Office on Record, on Penalty of Ten Pounds.

XLIII. § 13. Immediately after Judgement, the Judge ſhall ſign Execution in manner preſcribed in the Act.

XLIV. § 14. Provoſt-marſhal, or other Perſons levying Executions, ſhall levy them according to the Directions of ſuch Executions, on Penalty of Fifty Pounds; but the Defendant may bail his Goods till the Day of Sale, and then, if not redeemed, they ſhall be ſold, and the Marſhal ſhall pay the Plaintiff, and deduct Charges, and return the Overplus to the Defendant; but if the Effects fall ſhort, the Marſhal ſhall levy further.

XLV. § 15. Perſons ſelling Lands or Goods taken in Execution, ſhall accept from any Purchaſer Sugars, Cotton, Indico, and Melaſſes, in Payment, at current Price; and the Plaintiff ſhall alſo accept the ſame of the Marſhal, ſo as ſuch Commodities do not amount to more than his Debt and Coſts.

XLVI. § 16. Goods periſhing before Sale, ſhall be made good by the Owner, unleſs it be the Marſhal's Fault, and then he ſhall pay the Damage.

XLVII. § 17. Defendant giving Security for the forthcoming of Goods, and not producing them in time, the Marſhal ſhall, by Writ from a Judge, levy on the Goods of the Surety; and if the Surety have no Eſtate to levy on, he ſhall be committed till he make Satisfaction.

XLVIII. § 18. A Bill of Sale from the Provoſt-marſhal of Goods ſold by Execution, ſhall give the Buyer a good Title; and ſuch Bill of Sale for Lands, ſhall give as good Eſtate, as the Perſon from whom they were taken had; and the Provoſt-marſhal refuſing ſuch Bill of Sale, ſhall forfeit Fifty Pounds.

XLIX. § 19. When Goods or Lands are taken in Execution, the Marſhal ſhall publiſh the Sale in the next Town, in the Manner preſcribed

preſcribed in the Act, and the Expences borne by the Owner of ſuch Goods or Lands.

L. § 20. No Execution ſhall be awarded between the 31ſt of *Auguſt* and the 1ſt of *March*, yearly: Provided, that Writs of Poſſeſſion of Lands or Slaves, may be executed at any time.

LI. § 21. Eight Days before each Court, the Judge ſhall ſign a Summons for a Jury of Freeholders; One Court from the Windward Side of the Iſland, and the other Court from the Leeward Side, alternately.

LII. § 22. All Freeholders of Ten Pounds a Year, or worth One hundred Pounds, ſhall be Jurors; and in Default of Appearance, ſhall forfeit Five Pounds: And Jurors departing Court after ſworn, before Verdict, ſhall forfeit Ten Pounds, and Five Months Impriſonment; and every Juror ſhall have Eighteen Pence for each Verdict.

LIII. § 23. On Default of Appearance of Jurors, the Marſhal ſhall ſupply the Deficiency by a Tale; and Special Verdicts ſhall be found, if both Sides agree.

LIV. § 24. Evidence ſummoned, and not appearing, without reaſonable Excuſe, ſhall forfeit Fifty Pounds; and the Court may put off Trial to another Court, the Party paying Coſts.

LV. § 25. Depoſitions of Perſons diſabled to attend, ſhall be deemed good Evidence, if taken by a Judge, and Notice given to the adverſe Party to be preſent at the Examination: And all Certificates of Chief Magiſtrates in *Great Britain* and *Ireland*, and the Dominions thereto belonging, and Probates of Wills under proper Seals, ſhall be admitted as Evidence.

LVI. § 26. All Statutes of *Jeofails* made in *England* before the 4th and 5th of Queen *Anne*, and alſo Four *Engliſh* Law Acts, made in the Reigns of King *Charles* the Second, and King *James* the Second, are made perpetual in that Iſland.

LVII. § 27. Rules for giving Judgements in Demurrer: *See the Act.*

LVIII. § 28. The Statute of *Jeofails* is extended to ſeveral Caſes: *See the Act.*

LIX. § 29. Provided, That nothing in this Act abovementioned ſhall be extended to Caſes of Murder, Felony, or Proceedings on Penal Statutes.

LX. § 30. Plaintiffs or Defendants in ſeveral Caſes are allowed to enter ſeveral Pleas joined in one; and Coſts in ſome Caſes left to the Diſcretion of the Court.

LXI. § 31. Bail for Perſons arreſted, ſhall be aſſigned to the Plaintiff; and if forfeited, the Plaintiff may ſue it in his own Name: And the Court may by Rule redreſs Hardſhips on Caſes of Bail, agreeable to Juſtice on either Side.

LXII. § 32. In trying Titles to Lands, the Court may order the Jury to view the ſame, in order to underſtand the Evidence; and by Writ cauſe Six or more Jurors to go to the Place in queſtion; and the Marſhal ſhall certify the View, when made.

LXIII. § 33. Defendants may plead Payment in bar of an Action of Debt; and the ſame on Actions brought on Bonds, if paid before the Action commenced, though not at the Time mentioned in the Condition of the Bond.

LXIV. § 34. Intereſt upon Bonds, if not certainly expreſſed in the Bond, ſhall be Eight *per Cent.* and if the Defendant pay the Principal, with Intereſt and Coſts of Suit upon ſuch Bond, the Bond ſhall be diſcharged.

LXV. § 35. The Commander in Chief, and Four of the Council, ſhall try Errors in Judgements given in this Court: And the Commander in Chief ſhall ſign all Writs of Error; and the Neglect of the Governor's meeting at the Day of return of ſuch Writ of Error, ſhall not diſcontinue the Writ; and no Judgement ſhall be given in Error, but by the Commander in Chief, and Four of the Council, and none of them to be Judges of the Court, and ſhall all take the Oath in the Act preſcribed; but no Judgement given in Court ſhall be ſuperſeded or ſtayed by Writ of Error, unleſs Security be given in double the Sum, to proſecute to Effect, and pay Coſts, if Judgement be affirmed: And Writs of Error on Judgements upon Writs of Dower, or Ejectment, ſhall not ſtop Execution, unleſs the Plaintiff in Error give ſuch Security as the Court ſhall allow, to pay Coſts, in caſe Judgement be affirmed.

LXVI. § 36. And the Court ſhall iſſue a Writ to enquire into meſne Profits, or Waſte committed after Judgement in Dower, or Ejection, and award Execution for Coſts and Damages.

LXVII. § 37. What Caſes this Act ſhall not be extended to: *See the Act.*

LXVIII. § 38. To prevent vexatious Suits on defective Writs of Error, the Defendant in Error ſhall recover Coſts upon Defects, as if Judgement had been affirmed; but the Plaintiff may have a new Writ; and if either Party be diſſatisfied with the Judgement in Error, he may appeal to the Crown, if the Value be according to the Governor's Inſtructions, the Appellant giving Security; but Executors, Adminiſtrators, and Guardians, are excuſed from giving Security, unleſs in Caſes where it is required by the Laws of *England*, or on Appeals to the Crown.

LXIX. § 39. All Writs of Error ſhall be ſerved on the Chief Juſtice, who ſhall certify the Record and Pleadings in Eight Days; and the Plaintiff ſhall ſhew cauſe of Error in other Eight Days, and the Defendant ſhall plead to it in Eight Days after.

LXX. § 40. The Judges in Court may try Cauſes under Ten Pounds without a Jury, or Servants Wages under Fifteen Pounds; and may admit the Plaintiff's Oath.

LXXI. § 41. Miſ-

LXXI. § 41. Misbehaviour in Court, or Neglect of Officers, ſhall be puniſhed by Fine, at the Diſcretion of the Court.

LXXII. § 42. Title to Slaves ſhall be tried by Action of Trover or Detinue, and not by Replevin.

LXXIII. § 43. All Writs to revive Judgements, ſhall be ſerved Six Days before Court; and if the Defendant does not plead that Court, the Judgement ſhall ſtand.

LXXIV. § 44. How Counſellors ſhall prove their Qualifications, before they are admitted to plead: *See the Act*; but the Judges may admit who they think fit for Solicitors or Attornies, except Officers of the Court: And Attornies and Solicitors ſhall take the Oath preſcribed in the Act, before they practiſe, on Fifty Pounds Penalty.

LXXV. § 45. No Perſon practiſing in Court, ſhall be Secretary or Marſhal, on Penalty of being diſabled to practiſe: And there ſhall be no more than Four Attornies or Solicitors at one time.

LXXVI. § 46. Provoſt-marſhal, and his Deputies, ſhall take the Oath preſcribed in the Act, before the Governor; and he ſhall employ none but Perſons of Ability.

LXXVII. § 47. All Perſons practiſing in the Court, or Officers in the ſame, ſhall take the State Oaths, upon pain of Diſability of practiſing, or enjoying any Office in the Court.

LXXVIII. § 48. Freeholders worth Ten Pounds a Year, ſhall be obliged to anſwer by Summons only, and not be arreſted.

LXXIX. § 49. But if he ſend his Effects off the Iſland, and give Suſpicion of Deſign to defraud his Creditors, then he may be arreſted.

LXXX. § 50. Every Perſon prejudiced by proteſted Bills of Exchange, ſhall recover of the Drawer or Indorſer Ten Pounds *per Cent.* Damages, and Ten Pounds *per Cent.* Intereſt, from the Day of Proteſt; but no more than Eight Pounds *per Cent.* Intereſt ſhall be reſerved on Bonds, or other Securities.

LXXXI. § 51. Goods and Effects, or the Perſons of Executors, ſhall not be affected otherwiſe than as by the Laws of *England*.

LXXXII. § 52. Publick Alarms or Invaſions ſhall not diſcontinue or abate Actions.

LXXXIII. § 53. Actions of Treſpaſs, Detinue, or Replevin, ſhall be commenced in Three Years after the Cauſe of Action: And Actions for Slander, in One Year after the Words ſpoke, and not after.

LXXXIV. § 54. Provided, That in caſe an Arreſt of Judgement go againſt the Plaintiff, he may renew his Action in One Year.

LXXXV. § 55. In all Actions of Treſpaſs, *Quare clauſum fregit*, if the Defendant diſclaim, and tender Amends for the Treſpaſs, the Plaintiff ſhall join Iſſue, and if caſt, ſhall be barred all other Actions concerning the ſame.

LXXXVI. § 56. If the Jury upon an Action of Slander do not aſſeſs Forty Shillings Damage, the Plaintiff ſhall recover no more Coſt than Damage.

LXXXVII. § 57. Perſons under Diſability ſhall have the ſame Time to ſue after the Diſability is removed, as other Perſons have from the firſt Cauſe of Action.

LXXXVIII. § 58. A temporary Clauſe expired.

LXXXIX. § 59. Grants of Lands good, without Attornment of Tenants; and Tenants ſhall not be prejudiced for paying Rent to a wrong Perſon before Notice.

XC. § 60. A temporary Clauſe expired.

XCI. § 61. Fines upon Jurors ſhall be levied on their Effects; and upon Lawyers and Officers, recovered by Action: Fines upon Jurors, Half to the Publick, and Half to the Expence of the Court: Fines upon Lawyers and Officers, Half to the Publick, and Half to the Perſons ſuing for them.

Nº 8. Eſtates.

I. § 1. *Enacted*, That no Title of the Crown ſhall be revived, or put in Suit on account of the Reconqueſt of the Iſland, but every Proprietor of Land ſhall be deemed legally eſtated, and reinveſted in the ſame, as his Anceſtors, or thoſe he legally holds from, had it in 1689. and no old Titles ſhall be received, to occaſion vexatious Diſputes.

II. § 2. If any Perſon, now in Poſſeſſion of any Lands or Tenements, have quietly enjoyed the ſame Five Years before the War in 1689, &c. without any legal Claim in a Court of Record before the Date of this Act, he ſhall have good Right and Title to the ſame.

III. § 3. And it ſhall be a good Plea for the Defendant, in bar to the Action, to alledge, that he had been in quiet Poſſeſſion Five Years before the Year 1689, and from the Reconqueſt to this Time; unleſs the Plaintiff can diſprove the ſame, or prove, that he, or the Perſon whom he claims under, were, during that Time, under Incapacity of ſuing, or that the Defendant held it only as Tenant, or by ſome Tenure expired: Proviſo, allowing Three Years from paſſing the Act, for any Perſon to commence Suits for old Titles.

IV. § 4. To prevent Diſputes in regard to Titles ſold or forfeited by the *French* to the *Engliſh*, all Conveyances from the *French* to the *Engliſh* ſhall be good in Law; and all Grants of Land forfeited before 1689, under the Seal of the Iſland, by the Governors, ſhall be good in Law, and bar any prior Claim.

V. § 5. Many *French* Subjects, who held of the *Engliſh*, having renounced the *Engliſh* Protection, and gone off with the *French* Planters, and many *Iriſh* rebelled againſt the *Engliſh*, and aſſiſted the *French*, for which they ought to have been

been attainted; but for want of a Civil Government, has not been done; but their Lands have been granted to *Engliſh* Subjects by the Governor, under the Seal of the Iſland: It is therefore enacted, That all Lands in the *Engliſh* Quarters, deſerted by ſuch *French* Subjects, or Rebel *Iriſh*, are become legally veſted in the Crown, notwithſtanding any Deficiency in Form of Law.

VI. § 6. And all Grants of ſuch Lands ſhall be good and valid to the Grantees; and the old *French* Subjects, or *Iriſh* Rebels, and their Heirs, for ever barred.

VII. § 7. Titles of Land taken in Fxecution, and ſold by the Provoſt-marſhal, like perſonal Eſtate, by his Bill of Sale, ſhall be good to the Purchaſer, notwithſtanding the Bill of Sale, and Record thereof, be loſt: But not to juſtify the Provoſt-marſhal in any illegal Practice.

VIII. § 8. No want of ſufficient or legal Words to create Inheritances, nor any Impropriety of Words, ſhall make void any Deed, Grant, Deviſe, or Conveyance. Perſons having loſt their Writings, may affirm their Titles by Two Witneſſes, for as many Years Poſſeſſion as is required by this Act, unleſs more convincing Evidence appear to the contrary; and ſuch Perſons may apply to the Governor for Confirmation of their Eſtates, and ſhall receive the ſame under the Seal of the Iſland.

N° 38. IX. § 1. *Enacted*, That no Title of the Crown, by virtue of Reconqueſt, ſhall be put in force; but that all Proprietors of Lands ſhall be deemed legally reinſtated in the Eſtate of their Anceſtors, or that they had when the Iſland was ſurrendered to the *French* in 1689.

X. § 2. Every Perſon who has had quiet Poſſeſſion of Lands, without legal Interruption, for Five Years before the Beginning of the War in 1689. and who have poſſeſſed the ſame ever ſince the Reconqueſt of the Iſland by the *Engliſh*, without legal Hindrance or Claim in a Court of Record, and the Perſons claiming under them, are hereby deemed legally poſſeſſed thereof in Fee-ſimple.

XI. § 3. Any Perſon who had a Right or Title to ſuch Lands at the Paſſing of the Act, and was then under Diſability, might proſecute his Claim in Three Years after ſuch Diſability removed.

XII. § 4. This Act ſhall not be conſtrued to give Title of Inheritance to Tenants in Dower, for Life, or for Years; but that the Perſon who has the Right of Reverſion or Remainder, may proſecute his Right at any time within Twenty Years after the Determination of ſuch Eſtate of Dower, *&c.*

XIII. § 5. Upon the *French* Conqueſt of the Iſland in 1666. the *French* Subjects did purchaſe many Plantations from the *Engliſh*, and after the Treaty of *Breda*, ſold them again to the *Engliſh*, or forfeited the ſame; therefore all Conveyances made by the *French*, or by others who had Poſſeſſion of ſuch Lands after the Time limited for the Redemption thereof, are declared good and valid: And all Grants of Lands forfeited by the *French* before the Year 1689. are declared good and valid, and bar all prior Claims; and that ſuch Conveyances, Grants, *&c.* or authentick Copies thereof, may be given in Evidence in any Court without ſpecial pleading.

XIV. § 6. Many *French* Subjects on the breaking out of the War in 1689. renounced the *Engliſh* Protection, and continued under the *French* Government 'till the *Engliſh* reconquered it, and then they abdicated the Iſland, and went off with the other Subjects of *France*, and ſeveral *Britiſh* Subjects turned Rebels, and joined with the *French*; it is therefore enacted, That all ſuch *French* Subjects, or *Engliſh* Rebels, who went off with the other *French* Subjects, and deſerted their Plantations, ſhall be deemed to have forfeited their Eſtates, as much as if they had been regularly attainted or convicted of Treaſon.

XV. § 7. All Grants and Writings under the Seal of the Iſland, to any Perſon, for ſuch Lands declared forfeited, as aforeſaid, ſhall be good and effectual in Law, againſt all ſuch *French* Subjects who abdicated their Eſtates, and ſuch Rebel *Britiſh* Subjects as joined them; all wants of common Forms in Law notwithſtanding.

XVI. § 8. Provided, that ſuch Rebels, on obtaining Licences from the Crown, might in Two Years after the Date of the Act proſecute their Claim; but if they recover againſt a Grantee of ſuch Land from the Crown, then ſuch Recoverer ſhall repay to the Perſon againſt whom they recover, the firſt Purchaſe-money, and for all Improvements; and ſhall diſcharge the Tenants of all Claims to meſne Profits, or elſe ſuch Claim, and all Proceedings thereon, is and are declared void.

XVII. § 9. Every Perſon making Oath, that he has loſt his Writings of his Eſtate, ſhall be allowed to prove his Title by Two Evidences.

XVIII. § 10. This is declared a publick Act; but not in force till the Pleaſure of the Crown be known.

N° 29. Fees.

I. § 1. *Enacted*, That no Officers, or their Deputies, ſhall neglect to give due Diſpatch to all Perſons Buſineſs, or take any other Fee for any Buſineſs hereafter named, than is expreſſed and annexed thereto,

on Forfeiture of their Places, and to pay the Party grieved his Damages.

II. § 2. A Table of Fees, as hereafter expreſſed, ſhall be fairly ingroſſed, and hung up in each reſpective Office, on Penalty of Ten Pounds.

III. § 3. Buſineſs done by any publick Officer not mentioned in this Act, he ſhall take a Fee proportionable to other Fees that are mentioned.

IV. § 4. And the Governor, Preſident of the Council, and Speaker of the Aſſembly, may ſign an additional Table of Fees, when approved of in Aſſembly.

The Fees of the following Officers are particularly mentioned in the Act:

The Chief Juſtice;
Secretary;
Clerk of the Peace;
Clerk in Chancery;
Clerk to the Ordinary;
Juſtice of Peace's Clerk;
Naval Officer;
Coroner;
Marſhal;
and Conſtables.

But by an Act paſſed in 1724. N° 59. for eſtabliſhing Courts, Advancement of Juſtice, and ſettling Fees, *&c.* a Table of Fees is eſtabliſhed to be taken by the Chief Judge, Judge's Clerk, Secretary, and Marſhal, ſo far as relates to the Courts of Juſtice eſtabliſhed by that Act.

N° 96. V. THE Fee of Three Shillings *per* Sheet, given to the Secretary by the foregoing Act, N° 29. for Copies of Bills and Anſwers in Chancery, is reduced to Eighteen Pence for each Sheet, containing One hundred and twenty Words.

N° 58. Flour.

I. § 1. ENacted, That no Perſon ſhall ſell Flour uſed for making of Bread otherwiſe than by Weight, on Penalty of forfeiting the Flour; and both Buyer and Seller ſhall each forfeit Three hundred Pounds for every Barrel or Cask of ſuch Flour bought or ſold contrary to this Act.

II. § 3. Offenders convicted, a Juſtice may, by Warrant to a Conſtable, levy the Penalties incurred by this Act on their Goods and Chattels, rendering the Overplus, if any be, to the Owners: And a Juſtice, before whom Proof ſhall be made of ſuch Flour being ſold or bought contrary to the Intent of this Act, ſhall, by Warrant, cauſe ſuch Flour to be ſeized by a Conſtable, who may by Day enter any Houſe, Shop, *&c.* where he ſhall be informed ſuch Goods may be found, and them ſeize and ſell at Outcry in 24 Hours.

III. § 4. Charges of Seizures and Sales ſhall be deducted out of the Forfeitures.

IV. § 5. Perſons ſued for putting this Act in Execution, may plead the General Iſſue, and give the Act in Evidence.

N° 99. Hawkers.

I. § 1. ENacted, That no Perſon, by themſelves, or by any other Perſon, white or black, ſhall carry about, or hawk Goods in the Iſland, unleſs in the Manner therein preſcribed.

II. § 2. Any Perſon may apprehend and carry before a Juſtice of the Peace any white or black Perſon, who ſhall be found expoſing Goods to Sale: And the Juſtice is required to iſſue his Warrant, requiring any Perſon ſuſpected to be the Owner of ſuch Goods, or who is capable of diſcovering the Owner of ſuch Goods, to attend him: And in caſe the Perſon ſuſpected to be the Owner of ſuch Goods, do not acquit himſelf upon Oath, by denying the Goods to be his; or if it be proved to the Satisfaction of the Juſtice, that ſuch Goods do really belong to ſuch ſuſpected Perſon, or that he is intereſted therein; then ſuch Perſon ſhall be deemed convicted of ſuch Offence, and ſhall forfeit the Goods to the Informer, and pay Twenty Pounds current Money, or be committed to Gaol till paid: But if it do not appear to the Juſtice who is the Owner, or is intereſted in ſuch Goods, then the ſame only ſhall be adjudged to be forfeited to ſuch Perſon who ſeized them, and gave Information of their being hawked.

III. § 3. Provided, if any white Perſon ſhall pay to the Treaſurer Thirty Pounds a Year, or in Proportion for any Time not leſs than Three Months (of which Payment he ſhall receive a Certificate) then the Governor is impowered and required to grant ſuch Perſon, in his own Name only who ſhall apply for the ſame, a Licence for Hawking, *&c.* any Goods or Commodities about the Iſland, for which the Governor and Secretary ſhall take the ſame Fees as is allowed for Wine Licences.

IV. § 4. All Money ariſing by ſuch Licences ſhall be applied to the Uſe of the Fortifications, and to no other Uſe.

V. § 5. This Act was to continue but Three Years, and to the End of the next Sitting of the Aſſembly.

N° 14. Highways.

I. § 1. ENacted, That any Two Juſtices in any Pariſh, or, for want thereof, the Two next Juſtices, ſhall meet yearly in *January*, and appoint One or Two Surveyors of the Highways for that Year: And every Perſon ſo nominated, and notified thereof, ſhall accept the Office, and in Ten Days be ſworn into the ſame before a Juſtice: And in caſe

caſe of Neglect, to forfeit Twenty Pounds, towards defraying Pariſh Charges; and the Juſtice ſhall appoint another, who ſhall accept the ſame, on the like Penalty.

II. § 2. Provided, no Perſon ſhall be obliged to ſerve Surveyor twice, if other qualified Pariſhioners have not ſerved ſince he laſt ſerved; and if ſuch Perſon thinks himſelf aggrieved, he may appeal to the Governor and Council.

III. § 3. A temporary Clauſe for repairing the Highways, then out of repair.

IV. § 4. The Surveyors in Ten Days after ſworn, or in Three Days after great Rains, ſhall view the Highways; and when they want repairing, iſſue their Warrants to the Conſtables to ſummon the Inhabitants to attend with Negroes, as they ſhall direct: And Houſholders, who have no Slaves, ſhall attend in Perſon; who are to begin at one End of the Pariſh, and continue 'till all the Highways in the Pariſh are opened, as ſhall be thought neceſſary by the Freeholders; and Perſons neglecting, unleſs upon reaſonable Excuſe, ſhall forfeit Six Shillings *per* Day, and for every Slave Three Shillings.

V. § 5. The lower Highways round the Iſland ſhall be 24 Foot wide, and other Highways 12 Foot wide: And Poſſeſſors of Land next the ſame, who are obliged to fence, ſhall, when there is Occaſion, cut and keep clean all ſuch Fences, and not ſuffer them to be a Nuiſance to the Highways: And in caſe of Neglect, the Surveyors ſhall by Warrant enjoin the Occupier to ſee the ſame performed: And if the Tenant neglect Ten Days after Warrant ſerved, he ſhall forfeit Six Pounds current Money, and be obliged to perform the ſame in Ten Days after, on Penalty of Twelve Pounds.

VI. § 6. Where a Proprietor of Land has a Path through another Man's Ground below him, the ſame ſhall be laid out at the Choice of the Perſon who owns the Land through which the Path paſſes, and made cartable up and down: And if more Paths through any Man's Land than One, they ſhall be laid out One on each Side of his Plantation: In caſe of Diſputes, each Perſon ſhall chooſe One Freeholder, who, with the Surveyor, ſhall determine the ſame: And if one Party neglect to chooſe a Freeholder, or does not appear at the Time appointed, the Surveyor and the other Freeholder ſhall determine the ſame.

VII. § 7. A temporary Clauſe for repairing the Highways in the Land called the late *French* Land, now obſolete.

VIII. § 8. Every Conſtable neglecting to execute a Surveyor's Precept, and every Perſon diſturbing him in the Execution thereof, ſhall forfeit Five Pounds: And if a Surveyor neglect his Duty, he ſhall be fined by Two Juſtices, not above Ten Pounds: If a Juſtice neglect his Duty, he ſhall be fined Twenty Pounds: And all Fines ſhall be Half to the Informer, and Half to the Pariſh.

IX. § 9. When Highways are waſhed into Guts, and forced to be turned into any Perſon's Land, the Surveyor, and two Freeholders ſhall appraiſe the Damage, and report the ſame on Oath to the Treaſurer, who ſhall deduct the ſame out of the damnified Perſons Levies.

N° 36. X. § 1. ENacted, That the Surveyors of the Highways for *Baſſeterre* Quarter be impowered to open an old Path from the South Side of *Canaree* Pond to the Eaſtward of *Clay-hill*, and ſo through Mr. *Shepherd*'s Land to *Baſſeterre*, and make it 24 Foot wide, in 20 Days, on Penalty of Thirty Pounds; to be levied by Warrant from Two Juſtices.

II. § 2. What Damage the Planters might ſuſtain by turning the Path, to be appraiſed, and the Appraiſement returned to the Treaſurer of the Iſland, who was required to pay the Sum to the Perſons damnified, without further Warrant.

N° 45. Impoſt on Imports.

I. § 1. PReamble ſets forth the Inconveniencies of the former Act, by reaſon of the Method preſcribed therein for levying the Duties therein mentioned, and therefore repeals the ſame:

II. § 2. And enacts, That Liquors imported ſhall pay towards the Support of the Government of the Iſland, and the contingent Charges thereof:

	l.	*s.*	*d.*
All *Madera* Wine *per* Pipe,	2	00	00
Wines of the *Weſtern* Iſlands, or mixt with *Madera*,	3	00	00
Beer *per* Ton,	2	00	00
French, *Rheniſh*, or *Spaniſh* Wines in Cask, *per* Ton,	5	00	00
if bottled, then *per* Dozen,	0	01	06
For every Gallon of Rum,	0	02	06
Brandy,	0	01	00
Mum,	0	00	06
Ale, Beer, or Cyder, in Quart Bottles, *per* Dozen,	0	01	06

III. § 3. But if the Importer ſhall re-export the ſame, or any Part thereof, in Two Months after imported, he ſhall be allowed a Drawback of Half the Duty.

IV. § 4. All ſuch Liquors run, or attempted to be run, ſhall be forfeited: And all Perſons are required to be aiding and aſſiſting to the Informers or Diſcoverers of ſuch run Liquors.

V. § 5. The Receiver, or his Agent, or the Diſcoverer may, with a Juſtice's Warrant and a Conſtable, ſearch all Houſes, or other Places for ſuch Liquors concealed, in Three Days

Days after Information given; and all ſuch forfeited Liquors ſhall be condemned in a Court of Admiralty; and the Charge of Trial ſhall be deducted out of the Value of the Liquors, if condemned; but if cleared, and a probable Cauſe for ſuch Proſecution appear, then the Charge of Trial ſhall be paid by the Treaſurer, out of the publick Stock; but if no reaſonable Cauſe appear, then the Charge ſhall be borne by the Proſecutor, and the Proof of Payment of the Impoſt ſhall lie on the Claimer, in caſe of Diſpute.

VI. § 6. And the Treaſurer ſhall adminiſter an Oath to every Maſter of a Veſſel, or other Perſon entering *Madera* Wines, to prove they are ſuch, without Mixture; and if ſuch Perſon refuſe to ſwear, then the Wines ſhall be charged as Wines of the *Weſtern* Iſlands.

VII. § 7. The naval Officer ſhall not clear any Ship that imported ſuch Liquors, without a Certificate from the Treaſurer, that the Duties were paid; and the Treaſurer ſhall not give ſuch a Certificate, till Oath made that the Entry was true, in the Manner herein directed: And if the Maſter of a Veſſel refuſe to take ſuch Oath, he ſhall forfeit Three hundred Pounds: And if the naval Officer clear any Veſſel without ſuch Certificate, he ſhall forfeit Forty Pounds: And if the Treaſurer give a Certificate without ſuch Oath, as laſt mentioned, he ſhall forfeit Three hundred Pounds.

VIII. § 8. Veſſels belonging to any of the Leeward Iſlands, ſhall not be obliged to enter or clear in the naval Office oftner than once a Year, or as they are otherwiſe obliged to do by the Laws of *Great Britain*, or other Acts of this Iſland; but that ſuch Veſſels may be diſcharged by the Treaſurer, on Oath made, as aforeſaid.

IX. § 9. On Neglect or Refuſal of paying the Duties, the Marſhal, by Warrant from the Governor, may diſtrain for the ſame on the Goods and Chattels of ſuch Perſon; and for want thereof, on their Lands and Tenements; which ſhall in Six Days time be ſold by the Marſhal, returning the Overplus, if any, to the Owner: Provided the Sale be made publickly in one of the Towns, in the Preſence of Six Perſons: And if ſuch Perſon have not Goods or Chattels, Lands or Tenements, to pay the Debt, then the Marſhal ſhall take the Body of ſuch Perſon, and detain him in the common Gaol, without Bail, till he pay the ſame.

X. § 10. The Treaſurer to have Five *per Cent.* for receiving the Duties; and his Accounts ſhall be ſettled by the Council and Aſſembly; and that he ſhall not be diſcharged without ſuch Examination; and that his Heirs and Executors ſhall be liable to render ſuch Accounts to the Council and Aſſembly; and that the Treaſurer ſhall ſo account every Year, if required, on Penalty of One thouſand Pounds.

XI. § 11. Every Perſon ſued for putting this Act in Execution, may plead the General Iſſue, and give this Act in Evidence.

XII. § 12. All Forfeitures in this Act mentioned, ſhall be Two-thirds to the Uſe of the Fortifications, and the other Third to the Informer; to be recovered in any Court.

This Act expiring in 1733. *was continued by another Act in* 1732. N° 48. *and the Duties were therein appropriated to amending and keeping in repair the Fortifications of the Iſland, and building more, if wanting; and a Penalty on the Treaſurer, of forfeiting his Place, if he miſapplied any Part of theſe Duties.*

N° 68. Impoſt on Exports.

I. § 1. *Enacted*, That all the Commodities of the Growth of the late *French* Part of the Iſland ſhipped off, ſhall pay to the Crown Four and a Half *per Cent.* in *Specie*, in the ſame Manner as the Commodities of that Part of the Iſland called the *Engliſh* Part, had hitherto been liable to pay.

II. § 2. The Duty ſhall always be paid at the Ports of *Old Road*, *Sandy Point*, and *Baſſeterre*; and the Collectors ſhall be obliged to receive the ſame at thoſe Ports.

N° 54. Infection.

I. § 1. *Enacted*, That no Veſſel coming from any Country infected with the Small-pox, Plague, or any contagious Fever, ſhall permit any Perſon to come on Shore, or land Goods, until the Maſter has produced a Certificate, or performed Quarentine, under Penalty of One hundred Pounds, and Six Months Impriſonment.

II. § 2. No Veſſel ſhall ſend any Boat with Goods on Shore, until they have declared to the Gunner of the Fort, whence they came; and if they came from an infected Place, they ſhall return on Board, or the Gunner ſhall fire at them; and negligent Gunners ſhall ſuffer Six Months Impriſonment, and loſe their Places.

III. § 3. And to prevent Veſſels being hindered, except ſuch as come from Places infected, the Governor ſhall give to the Gunners an Account of all Places he hears are infected.

IV. § 4. And to prevent Diſtempers being brought from Places where no Notice has been had, the Gunner ſhall enquire and give Notice of the Penalties; and if they contravene the Intent of the Act, the Maſter ſhall ſuffer, as aforeſaid.

V. § 5. The Governor ſhall appoint a Surgeon in each Town, to whom the Gunner ſhall

ſhall give Notice to go on Board Veſſels, and enquire; and if he find any infectious Diſtempers on Board, he ſhall order the Veſſel to perform Quarentine, and give Notice to the Gunner, not to ſuffer any Perſon to come on Shore from ſuch Veſſel.

VI. § 6. If the Surgeon going on Board a Veſſel come from an infected Country find all well, he ſhall give a Certificate, and the Veſſel may unlade.

VII. § 7. If any Perſon ſhall go on Board a Veſſel come from an infected Country, before ſearched, he ſhall forfeit Fifty Pounds, and ſuffer Three Months Impriſonment.

VIII. § 8. The Surgeon may take Eight and Twenty Shillings for ſearching a Ship.

IX. § 9. No Perſon going in the Boat with the Surgeon, ſhall go on Board the Ship, on pain of One Month's Impriſonment; nor ſhall any Perſon be ſuffered to come on Shore in the Surgeon's Boat, on Penalty of One hundred Pounds.

X. § 10. Gunner may preſs Men to conduct the Surgeon on Board ſuch Ship; and on Refuſal, ſuch Man ſhall ſuffer One Month's Impriſonment.

XI. § 11. If the Provoſt-marſhal neglect his Duty, he ſhall forfeit Twenty Pounds.

XII. § 12. To prevent Veſſels being delayed, the Surgeon, on Notice, ſhall go immediately on Board, and examine, on Penalty of Twenty Pounds, Complaint thereof being made to the Governor in 48 Hours.

XIII. § 13. The Governor may oblige any Surgeon to do this Duty, on Penalty of being rendered incapable of practiſing on the Iſland as Surgeon, Apothecary, or Doctor; and of forfeiting One hundred Pounds, if he practiſe afterwards.

XIV. § 14. Veſſels coming from Places infected, the Gunner ſhall give them Notice not to come on Shore, nor any Perſon to go on Board, till Quarentine be performed, and Certificate of Health obtained, on pain of Death; and the Veſſel ſhall be obliged to depart to the Place appointed for Quarentine: And any Perſon going on Board ſuch Veſſel, and endeavouring to return on Shore, may be killed.

XV. § 15. Every Veſſel having any infected Perſon on Board, and not departing on Notice given, the Gunner may compel them to depart; but ſuch Veſſel may go and anchor at *French Fig-tree Fort*, at One Mile Diſtance from the Shore, and in 40 Days, if it came from a Place infected with the Plague, and in 30 Days, if from a Place infected with the Small-pox or Fever, the Veſſel may unload and trade, if the Surgeon give a Certificate of Health, and that infected Clothes, Bedding, *&c.* are burnt.

XVI. § 16. A temporary cautionary Clauſe, relating to the Danger of the Plague from *Marſeilles*, expired.

XVII. § 17. Veſſels coming from Places infected with the Small-pox, in want of Neceſſaries, any Perſons may carry them Supplies, ſtaying on Board till Quarentine be performed.

XVIII. § 18. All Fines and Forfeitures directed by this Act, ſhall be levied in Three Days by the Governor's Warrant to the Provoſt-marſhal; and for want of Diſtreſs, the Offender ſhall be impriſoned: And Goods ſeized for Forfeitures, ſhall be ſold at publick Outcry, and the Overplus, if any, returned to the Owner: And all Fines ſhall be paid to the Treaſurer, to be applied by the Governor, Council, and Aſſembly, towards erecting an Infirmary.

XIX. § 19. To prevent the ſpreading of the Small-pox, Lazarettoes were ordered to be built by Commiſſioners, for the conveying all Slaves to, who were then, or ſhall after be infected with that Diſtemper.

XX. § 20 Commiſſioners to provide Perſons to take care of infected Slaves in the Lazarettoes, at the publick Charge, by Order of the Governor: Maſters concealing their infected Slaves, or Doctors their infected Patients, ſhall forfeit One hundred Pounds.

XXI. § 21. The Governor impowered to appoint Commiſſioners to build Lazarettoes, and place Guards thereto.

XXII. § 22. And ſuch Commiſſioners may viſit all Plantations ſuſpected of ſuch Diſtempers.

XXIII. § 23. The Governor impowered to hire or impreſs Perſons who have had the Small-pox, to guard ſuch Houſes: And every Perſon going abroad after the Guard is ſet, farther than they have Leave from a Commiſſioner, ſhall ſuffer a Year's Impriſonment.

XXIV. § 24. A temporary Clauſe to ſave Lieutenant General *Mathews* harmleſs, for what he had done to prevent the ſpreading of the Small-pox, before this Act was paſſed.

XXV. § 35. The Governor may order ſuſpected Goods to be burnt, and the Treaſurer to pay for the ſame.

XXVI. § 26. Perſons ſued for putting this Act in Execution, may plead the General Iſſue, and give the Act in Evidence.

N° 4. Liquors.

I. § 1. PReamble declares a Neceſſity of raiſing an Impoſt on Strong-liquors ſold by retale, for defraying the publick Charges; and enacts, That every Perſon who ſhall ſell Strong-liquors by retale, ſhall pay after the Rate of Sixteen Pounds current Money, to be paid quarterly, for their Licence; and ſhall give Security in the Secretary's Office for the ſame, at the taking out ſuch Licence.

II. § 2. And thoſe that ſell Rum or Rum-punch by retale, ſhall pay 3 *l.* 2 *s.* 6 *d.* per Annum, and ſhall give Security in the Secretary's Office, as aforeſaid.

III. § 3. If any Perſon ſet up or keep any Tavern or Victualling-houſe, or ſell Strong-liquors by retale, without Licence from the Governor, he ſhall forfeit 32 *l.*

IV. § 4. If any Perſon ſell Rum or Rum-punch by retale without Licence, he ſhall forfeit 6 *l.* 5 *s.*

V. § 5. Provided thoſe who have Sugar-works, may ſell by retale at their Plantations.

VI. § 6. But if any Perſon ſet up Rum-works, and purchaſe Melaſſes to diſtil, he ſhall take out a Licence, and pay 16 *l.* 10 *s.* per Annum.

VII. § 7. And if any Perſon ſhall ſet up ſuch Work for diſtilling Melaſſes, without Licence, he ſhall forfeit 33 *l.*

VIII. § 8. All Fines ſhall be levied by the Treaſurer, in ſuch Manner as Executions are levied in Actions between Party and Party, and diſpoſed of by publick Outcry, Publication thereof being made for Sale in any of the Towns in the Iſland, and ſold at the end of Three Days after levied.

IX. § 9. All Informations ſhall be made to the Treaſurer, who is to go with the Informer to the next Juſtice; and Proof before ſuch Juſtice ſhall be ſufficient Authority to the Treaſurer to diſtrain upon the Offender's Goods.

X. § 10. Provided nothing herein contained ſhall leſſen the Prerogative of the Crown.

N° 58. XI. § 2. *Enacted*, That all Liquors imported in Bottles, Wine or Mum, ſhall be in full Quart or Pint Bottles, Wine Meaſure; and all other Liquors in full Quart or Pint Bottles, *Wincheſter* Meaſure; and all Liquors imported in any other Bottles, ſhall be forfeited; and whoever ſhall ſell any Liquors in other Bottles, ſhall forfeit for every Quart One Shilling and Six Pence, and every Pint, Nine Pence; Half to the Poor, and Half to the Informer.

XII. § 3. Offenders convicted, a Juſtice may, by Warrant to a Conſtable, levy the Penalties on their Goods and Chattels: And a Juſtice of Peace, before whom Proof ſhall be made of ſuch Liquors being imported or ſold contrary to the Intent of this Act, ſhall by Warrant cauſe ſuch Liquors to be ſeized by a Conſtable, who may by Day enter any Houſe where he ſhall be informed ſuch Goods may be found, and every of them ſeize and ſell at Outcry in 24 Hours.

XIII. § 4. Charges of Seizures and Sales ſhall be deducted out of the Forfeitures.

XIV. § 5. And any Perſon ſued for putting this Act in force, may plead the General Iſſue, and give the Act in Evidence.

N° 80. XV. § 1. *Enacted*, That no Perſon, unleſs authorized in the Manner preſcribed by this Act, ſhall ſell by retale any Wine, Brandy, or other Strong-liquors (except Rum or Rum-punch) under Penalty that every ſuch Retaler ſhall for every Offence forfeit Forty Pounds; and every Retaler of Rum or Rum-punch only, ſhall forfeit Ten Pounds: Provided, it ſhall not extend to Perſons ſelling any ſuch Liquors by Three Gallons, and upwards, at one time, to one Perſon, and no leſs Quantity.

XVI. § 2. The Governor may licenſe Perſons to ſell Strong-liquors by retale, paying for the ſame Twenty Pounds *per Annum*, except for ſelling Rum and Rum-punch, which ſhall pay but Five Pounds *per Annum*; and the Treaſurer ſhall give ſuch Perſon a Certificate for ſuch Payment without Fee; and the Governor thereupon ſhall grant ſuch Licence for ſuch Time as the Perſon hath paid for it, not exceeding one Year: The Governor's Fee to be Ten Shillings; and the Secretary's Seven Shillings and Six Pence.

XVII. § 3. No Licence ſhall be granted to any Perſon, but ſuch as ſhall uſe the Trade of ſelling ſuch Strong-liquors by retale, or to the Owner of the Houſe where the ſame is ſold; and that ſuch Licence ſhall not be aſſignable to any other Perſon.

XVIII. § 4. No Perſon ſhall ſet up any Still to make Rum in any Town in the Iſland, on Penalty of One hundred Pounds for every Offence, and likewiſe forfeit all the Rum ſo made: Provided, any Planter may diſtil Rum upon his Plantation to ſell by retale, pure and unmixt, in his Dwelling-houſe, and no where elſe.

XIX. § 5. The Taxes ariſing by this Act to be appropriated to the Uſe of the Fortifications; the Fines, Two-thirds to the ſame Uſe, and the other Third to the Informer; to be recovered in a Court of Record.

XX. § 6. The Treaſurer ſhall not lay out any Money ariſing by this Act (except his Poundage for receiving the ſame) but to and for the Uſes to which it is by this Act applied, and that not without an Order under the Hand of the Governor, by and with the Conſent of the Council, on Penalty of Loſs of ſuch Money ſo paid contrary to the Intent of this Act.

XXI. § 7. The Treaſurer allowed Five *per Cent.* and ſhall yearly, or oftner, if required, account to the Council and Aſſembly for all Receipts and Diſburſements, in order to the auditing and paſſing his Accounts, on Penalty of Two hundred Pounds; to be recovered in a Court of Record, and applied to the Uſe of the Fortifications, as other Penalties laid by this Act.

XXII. § 8. In

XXII. § 8. In order to prevent the many Diſorders happening by Sailors and Servants being entertained in ſuch publick Houſes, it is enacted, That if any Perſon retaling Strong-liquors, ſhall truſt any Sailor belonging to a Ship at Anchor in any Bay, Creek, *&c.* about the Iſland, or any Servant belonging to an Inhabitant of the Iſland, for Victuals or Strong-liquors to the Value of Six Shillings, or upwards, he ſhall loſe his Debt.

XXIII. § 9. Upon any Suit or Information commenced againſt any Perſon for any thing done in purſuance of this Act, the Defendant may plead the General Iſſue, and give this Act in Evidence: And if the Plaintiff be non-ſuit, or Judgement paſs againſt him, the Defendant ſhall recover double Coſts, in the ſame Manner as Coſts are by Law given to other Defendants.

XXIV. § 10. This Act to be allowed in all Courts as a publick Act, without ſpecial pleading.

XXV. § 11. To continue in force Eleven Years from its Publication, and from thence to the next Sitting of the Council and Aſſembly.

N° 99. Lotteries.

§ 5. ENacted, That no Perſon whatſoever ſhall ſet up any Office or Place to ſell Plate, Jewels, or other Goods by way of Lottery, Chances, Numbers, *&c.* or ſhall publiſh any Propoſals for advancing ſmall Sums of Money, amounting in the whole to large Sums, to be divided by Chances; or ſhall deliver out Tickets to entitle Perſons to Shares of ſuch Plate, Jewels, or Goods, or of ſuch Money ſo advanced, according to ſuch Propoſals or Schemes; or ſhall make or publiſh ſuch Propoſals or Schemes of the like Nature, under any Denomination, upon Penalty for every Offence to forfeit One thouſand Pounds current Money; Half to the Uſe of the Fortifications, and Half to the Informer; to be recovered in a Court of Record by Action of Debt, Bill, Plaint, *&c.* The Act to continue but Three Years, and to the End of the next Seſſion of Aſſembly.

N° 78. Markets.

I. § 1. ENacted, That there ſhall be kept every *Tueſday*, *Thurſday*, and *Saturday*, at *Baſſeterre*, *Sandy Point*, *Old Road*, and *Deep Bay*, a Market for killing and ſelling fleſh Meat.

II. § 2. All Cattle and Meat brought to Market ſhall be delivered to the Clerk, who ſhall be accountable to the Owner, at the following Prices *per* Pound;

	l.	*s.*	*d.*
Beef,	0	00	7½
Except Legs, Shins and Necks only,	0	00	4½
Mutton, Veal, and Pig-pork,	0	00	09
Large Pork above 10 *lb. per* Quarter,	0	00	7½
Turtle Calopee,	0	00	4½
Other Turtle,	0	00	06

And Meat not fit for Sale, ſhall be burnt by the Clerk of the Market.

III. § 3. Market ſhall begin at Seven of the Clock in the Morning, by ringing a Bell: And whoever firſt tenders Money, ſhall chooſe the firſt Piece, not above Thirty Pounds of Beef or Turtle, and a Joint of Veal, Mutton, or Pork: Provided, the Governor may have ſuch Pieces as he ſends for, at the aforeſaid Prices. And if the Owner of the Meat does not collect the Money himſelf, the Clerk of the Market ſhall pay it him in Six Days, or it ſhall be levied on him by a Juſtice; and ſuch Clerk ſhall give Security for the due Execution of his Office.

IV. § 4. No Meat ſhall be ſold but in open Market, and under the Reſtrictions aforeſaid: Perſons ſelling Meat other Days, ſhall be under the ſame Reſtrictions as thoſe ſelling on Market-days: No Butcher, Tavern-keeper, or Victualler, ſhall give, lend, or change Meat, on Penalty of forfeiting Three Pounds: And all Perſons ſelling Meat for more than the above limited Prices, ſhall alſo forfeit Three Pounds.

V. § 5. If more than one Bullock be brought to Market, one Side ſhall be cut in Pieces, not above Six Pounds weight; if but one Bullock, a Quarter, in ſuch Pieces, for the Uſe of the Poor, and the like Proportion of other Meat.

VI. § 6. All fat live Meat or Poultry imported, ſhall be ſold in Three Days after landed, if the Owner is offered a reaſonable Price: And Perſons buying out of publick Market ſuch live Stock imported, ſhall forfeit double the Value of what is ſo bought: Provided, any Perſon may ſend for Stock to any other Iſland for his own Uſe.

VII. § 7. Butchers ſhall be allowed for killing and cutting up Beef One Shilling in Twenty Shillings Value; and for Veal and Hogs, Four Shillings each; and for Sheep, Turtle, or Shoats, Three Shillings: But every Perſon who ſends Meat to Market, may chooſe his own Butcher, who ſhall be obliged to kill the ſame, on Penalty of Forty Shillings; and if a Butcher abuſe Meat in killing, he ſhall pay the Owner the Value: All Butchers ſhall be ſubject to the Clerk of the Market's Orders, on Penalty of Forty Shillings: Clerk of the Market ſhall have for every Beef killed at Market, Six Shillings; for every Veal and Hog, Two Shillings; for every Sheep, Shoat, or Turtle, One Shilling and Six Pence: And if the Clerk of the Market collect the Money for the Meat ſold, he may ſtop his own Fees, and the Butcher's alſo; and the Clerk of the Market ſhall pay the Butcher, provided

provided the Clerk collects the Money for the Owner.

VIII. § 8. All Forfeitures in this Act ſhall be Half to the Poor, and Half to the Informer.

N° 3. Militia.

I. § 1. PReamble ſets forth the Neceſſity of having the Inhabitants brought under a regular Diſcipline, in order to attend the Service of the Iſland; and enacts, That all Perſons above the Age of Fourteen, and under Sixty, ſhall appear and ſerve in Perſon, and do Duty with Arms on all Alarms, Invaſions, or Muſter-days, at ſuch Place as ſhall be ordered by the Governor and Council of War, conſiſting of Seven principal Officers; which Council ſhall be held at any Time, ſo often as Occaſion, and the Safety of the Iſland ſhall require, and ſettle the Militia, conformable to the Tenor of this Act, and give neceſſary Orders, as need ſhall require any Alterations to be made, having a due Regard to each Perſon's Eſtate and Quality, ſo as the beſt of the Gentry not in Commiſſion ſhall ride in the Troop: And if any Perſon ſo appointed to ride in the Troop, ſhall refuſe, he ſhall forfeit Twenty Pounds; to be levied by the Field-marſhal.

II. § 2. Muſter and exerciſing-days not to exceed one Day in a Month: And Members of the Council and Aſſembly not in Commiſſion, excuſed Attendance on Muſter and Exerciſing-days only: And that all the Regulations and Settlements of the Militia, with all other Proceedings of the Council of War, be fairly entred in a Book provided for that Purpoſe.

III. § 3. The Guards and Rounds ſhall be regulated and ſettled by the Council of War; *viz.* The Perſons Names, and their Turns to attend the Service, ſhall oblige all the Inhabitants to the Duty and Performance thereof, as if their Names had been inſerted and appointed by this Act.

IV. § 4. And that none may plead Ignorance of the Regulations and Orders eſtabliſhed, the ſame ſhall be entred in a Book, and fair Copies thereof, as Occaſion ſhall require Alterations, given to every Field-officer and Captain, that they may know how to place their Guards, and puniſh Offenders, after due Notice of what Duty they are to perform.

V. § 5. For the better Performance of the Duties intended during the War, every Perſon of the Age aforeſaid, whether Officer or Soldier, that neglects the Duty aſſigned them by the Council of War, ſhall forfeit, if a Field-officer, Three Pounds; if other commiſſion Officer, Thirty Shillings; if a Gentleman, Fifteen Shillings, or be ſent to *Charles Fort*, to remain not exceeding Seven Days, by Warrant from the Officer commanding the Party where ſuch Neglect is made.

VI. § 6. Gentlemen of the Council and Aſſembly excuſed from riding the Rounds the Nights before and after their meeting the Council and Aſſembly.

VII. § 7. The Officer of the Fort is to receive all Perſons ſo ſent, and keep them in Cuſtody during the Time of their Commitment, if not ſooner diſcharged: If a private Foot-ſoldier, or a Freeholder, Five Shillings; but if poor, or a Servant, and not able to pay the Fine, then to be tied Neck and Heels, or ride the Wooden-horſe: Provided the Servant be not detained by his Maſter or Overſeer, in which Caſe the Maſter, *&c.* ſhall pay the Fine.

VIII. § 8. All Diſputes which ſhall ariſe concerning this Act, ſhall be determined by a Court-martial, who ſhall take an Oath, that they will do ſpeedy Juſtice, without Favour or Prejudice.

IX. § 9. If any Trooper ſhall refuſe to ſerve as Corporal, when appointed, for one whole Year, he ſhall forfeit Twenty Pounds: The Money ariſing by this Act to be returned to the publick Treaſurer, for the Uſe of the Fortifications, and Contingencies of Government: Provided no Gentleman who has been in Commiſſion, ſhall be obliged to ſerve as Corporal.

X. § 10. Every Perſon in the Militia Regiment, who ſhall be appointed to act as Serjeant or Corporal for one Year, and ſhall refuſe to do the Duty appointed, ſhall forfeit Ten Pounds; to be levied and diſpoſed of in the ſame Manner as a Gentleman refuſing to ſerve as Corporal of the Troop: Provided, that no Gentleman who has been in Commiſſion, ſhall be obliged to ſerve as Serjeant or Corporal: Provided alſo, if either the Trooper, or Perſon appointed to ſerve as Serjeant or Corporal in the Regiment, have not Effects to anſwer the Fine, he ſhall be ſent to *Charles Fort* for Twenty Days, if not ſooner releaſed by the Governor.

XI. § 11. To encourage Gentlemen to ſerve as Corporal in a Troop, or Serjeant or Corporal in the Regiment, all Fines ariſing upon the Neglect of Duties by Gentlemen of the Troop, or private Centinels in the Regiment, ſhall, if from a Trooper, be paid into the Hands of the Corporal, for his Uſe; if from a Foot-ſoldier, then to the Uſe of his Serjeant or Corporal; and if either Trooper or Soldier refuſe to pay, they ſhall be ſent to *Charles Fort*, there to be kept till they pay it, and the Governor be ſatisfied thereof from ſuch Corporal or Serjeant.

XII. § 12. If the Corporal of a Troop, or Serjeant or Corporal in a Regiment, be remiſs in recovering the Forfeitures, he ſhall be

be ſent to *Charles Fort* for Thirty Days, if not ſooner releaſed by the Governor.

XIII § 13. If any Officer of the Troops or Regiment neglect his Duty, the Forfeitures ariſing therefrom ſhall be recovered by Warrant from the Governor, and returned to the publick Treaſurer, for the Uſe of the Fortifications, and other Contingencies of Government, returning the Overplus, if any, to the Owner, deducting Fees and Charges.

N. B. *The following Act ſeems intended to include the whole Law of the Iſland, relating to the Militia; but that being only temporary, and the foregoing perpetual, and not repealed, when the laſt Act expires, the firſt will be again in full force; therefore it was thought proper to print both, as well as this Abridgment of them.*

Nº 91. XIV. § 1. *Enacted*, That every Inhabitant, from 16 to 60, and every Perſon who ſhall become an Inhabitant, ſhall in Six Months from his firſt Reſidence, be obliged to ſerve in ſome Troop or Company of the Militia, except Cripples, and ſuch as belong to the Forts: And the Militia ſhall be formed into one Troop of Horſe, one Troop of Dragoons, and two Regiments of Foot.

XV. § 2. The Governor, with the Advice of a Council of War, ſhall appoint which Corps each Perſon ſhall appear in: Provided, no Plantation be obliged to provide more than one Trooper or Dragoon: And no Perſon who is willing to ſerve in the Troop, ſhall be compelled to ſerve in the Dragoons or Foot: And he that is willing to be a Dragoon, ſhall not be obliged to ſerve on Foot.

XVI. § 3. Every Foot-ſoldier ſhall appear with a good Firelock, and a Cartouch-box full of ſizeable Cartridges; every Dragoon ſhall appear on an able Horſe, and good Accoutrements (as deſcribed in the Act) every Trooper, the like, and bring with him a Negro, armed with a Cutlace.

XVII. § 4. The Place of Rendezvous ſhall be appointed by the Governor: And every Perſon not appearing at each Meeting by Nine of the Clock in the Morning, unleſs prevented by Sickneſs, or Accident to be allowed in Excuſe by the Commanding Officer, ſhall be eſteemed abſent that Day.

XVIII § 5. The Commanding Officer of the Foot ſhall exerciſe all the other Officers, and then name one to exerciſe the Foot, and then himſelf, with the other Officers, march and exerciſe the whole; but ſhall be diſmiſſed by Twelve of the Clock: And the Horſe ſhall exerciſe with their Piſtols on Horſeback, and then diſmount; and, delivering their Horſes to their Slaves, exerciſe as the Foot, and then remount, and march over the Parade, and be diſmiſſed at Noon: The Dragoons diſmount, and exerciſe on Foot, then mount, and march over the Parade, and be diſmiſſed by Noon.

XIX. § 6. The Exerciſe on General Meeting-days left to the Commanding Officer in the Field, as he judges moſt proper.

XX. § 7. Fines for not appearing well equipt, ſhall be half as much as if abſent; and every Perſon abſent without good Reaſon, to be allowed of, as aforeſaid, ſhall forfeit in Time of Peace,

	l.	*s.*	*d.*
Every Trooper,	0	14	00
Dragoon,	0	09	00
and Foot-ſoldier,	0	06	00

or Foot-ſoldier to be tied Neck and Heels half an Hour; except one white Man in each Plantation, where there is more, may ſtay at home without Penalty.

	l.	*s.*	*d.*
Every Colonel ſhall forfeit	3	10	00
Lieutenant-colonel,	3	00	00
Major,	2	10	00
Captain,	2	00	00
Lieutenant and Enſign,	1	10	00
Serjeant,	0	12	00
Corporal or Drummer,	0	06	00
Field-marſhal,	20	0	00

XXI. § 8. In Time of Peace every Officer or Soldier endeavouring to revenge himſelf on his Superior, for having obliged him to do his Duty, or behave to him with ill Manners, ſhall be puniſhed by Confinement, at the Diſcretion of a Court-martial, not above Thirty Days.

XXII. § 9. Fines ſhall be levied and diſpoſed of as follows; The Commanding Officer of Horſe and Dragoons each meeting, ſhall call the Roll, and ſign a Liſt of every one abſent, or deficient in his Accoutrements, and return it to the Governor; and the Commanding Foot-officer ſhall do the ſame, and return it to the Colonel of the Regiment, on Penalty of Six Pounds for Neglect: And the Governor ſhall iſſue a Warrant to the Field-marſhal (who is to put it in Execution, on Penalty of Six Pounds) directing him to diſtrain the Goods of the Defaulter, and the Goods to be ſold in Three Days, and the Surplus, if any, returned to the Owner; and the Colonel ſhall iſſue his Warrant to the Serjeant of each Company, to levy on the Goods of ſuch Foot-ſoldier or Drummer as is in Default, ſufficient to ſatisfy the Fines and Charges, returning the Overplus to the Owner; and the Fines thus levied, to be paid to the Colonel, to be diſtributed to the Serjeants and Drummers, Half to the Serjeants and Drummers, and Half to buy Powder for firing in Plattoons: Provided ſuch Sales be made in the next Town, in the Preſence of Four white Perſons: And if a Servant be hindered by his Maſter, or not by him accoutred, as directed, the Maſter ſhall pay the Fine.

XXIII. § 10. Serjeants, Corporals, and Drummers, ſhall be named by the Colonel; who on Refuſal to ſerve, ſhall incur the Fine of Abſence, and ſhall ſerve Three Years, except ſuch as have borne Commiſſions.

XXIV. § 11. In caſe of War or Invaſion, or Apprehenſion of an Inſurrection of Slaves, or other Alarms, the Governor may put all the Inhabitants under Arms, and oblige them to act againſt an Enemy, at Diſcretion, and appoint Rounds for Twenty four Hours, with Advice of the Council: Provided, in caſe of actual Invaſion, the Governor may keep the Inhabitants in Arms till the Enemy diſappear.

XXV. § 12. For ſmall Offences a Court-martial ſhall conſiſt of one Field-officer, and four Captains at leaſt.

XXVI. § 13. Every Foot-officer ſhall appear, Field-officers and Captains, with half Pikes, Lieutenants with Partizans, and each a Negro with a Cutlace, and his beſt Fuzee to exerciſe with, when required.

XXVII. § 14. Members of the Council and Aſſembly (except ſuch as are Officers) Officers of the Cuſtoms, Judges of the Courts, Barons of the Exchequer, Judge of Admiralty, Treaſurer, Secretary, and his Deputies, Regiſter, and Marſhal, and their Deputies, and all Officers attending the Aſſembly, and the Clergy, are excuſed, except on General Muſters and Alarms.

XXVIII. § 15. Every Trooper ſhall have Two Pounds of Powder, and Six Pounds of Ball; and each Dragoon or Foot-ſoldier, One Pound of Powder, and Three Pounds of Ball; and every Captain, Ammunition for Twenty Rounds for his whole Company.

XXIX. § 16. The Governor may ſummon a Council of War, or Court-martial; and every Perſon ſummoned, and not appearing, ſhall forfeit Three Pounds; to be levied, as aforeſaid, in caſe of Abſence.

XXX. § 17. Four Firelocks, diſcharged one after another, at half a Minute's Diſtance, after Nine of the Clock at Night, or Two great Guns, diſtinctly fired by Night or Day, ſhall be deemed an Alarm; and the Gunners of Forts and Platforms are to forward the ſame with Expedition: And whoever ſhall make falſe Alarms after Nine of the Clock, or neglect his Duty in forwarding an Alarm, ſhall forfeit Fifty Pounds; to be levied by the Provoſt-marſhal on his Goods, by Warrant from the Governor; and for want of Diſtreſs, to ſuffer Two Months Impriſonment: And if the Maſter of a Ship ſhall ſuffer to be fired great Guns, or ſmall Arms, or Drums to be beaten, ſo as to raiſe a falſe Alarm, he ſhall ſuffer as in Caſes of Alarms, unleſs he do it in Defence of his Veſſel.

XXXI. § 18. Eight times a Year, in *January*, *March*, *May*, *July*, *September*, *October*, *November*, and *December*, the Militia ſhall meet to be exerciſed; and once a Year a General Muſter, to be appointed by the Governor, when and where he thinks fit; and that then and there be given a Prize Sword, to be ſhot for by the Soldiers of each Corps.

XXXII. § 19. The Governor, with Conſent of Council, may appoint a General Meeting of the Militia on the firſt Arrival of a new Governor, or upon any other extraordinary Occaſion; and all Perſons neglecting to appear, ſhall be ſubject to the ſame Penalties as on General Reviews: And Perſons neglecting to appear armed on Alarms with Expedition, ſhall forfeit Twenty five Pounds, or leſs, as the Court-martial ſhall judge fit; or on Refuſal to pay, ſhall ſuffer Two Months Impriſonment, or leſs, if the Court-martial think fit.

XXXIII. § 20. The Governor, with Advice of Council and Aſſembly, may reward Perſons who diſtinguiſh themſelves by Courage or Conduct, to be paid out of the Treaſury, and make Proviſion for Perſons maimed in Defence of the Iſland, or to Widows or Orphans of ſuch.

XXXIV. § 21. In caſe of Invaſion, the Governor may preſs Ammunition, Proviſion, or Warlike Stores; as alſo Carriages, Slaves, and Cattle, for the publick Service, for 24 Weeks; the Damage to be made good out of the publick Treaſury to the full Value thereof.

XXXV. § 22. On Alarms or Invaſions, all Surgeons ſhall attend with proper Inſtruments and Medicines, on Penalty of Fifty Pounds; in Conſideration of which, they ſhall be excuſed at other Meetings.

XXXVI. § 23. All Fines impoſed by this Act (except Fines accruing from the Regiments of Foot) one Half ſhall be to the Field-marſhal, in Conſideration of his Service; and the other Half to be paid by him to the Treaſurer, for the Uſe of the Fortifications, on Penalty of forfeiting double the Sum unpaid after Ten Days.

XXXVII. § 24. The Field-marſhal ſhall take an Oath before the Governor, that he will not compound with any Perſon who ſhall incur any Fine or Forfeiture, for any leſs Sum than is forfeited.

XXXVIII. § 25. The Governor is impowered and required to order Guards and Rounds Four Days in *Chriſtmas* Holy-days, to begin on *Chriſtmas-eve*: And upon every Neglect of Officer or Soldier, they ſhall incur double Fines, as for Non-appearance; to be levied by the Field-marſhal, and Serjeants, as aforeſaid.

XXXIX. § 26. In time of War, the Militia ſhall meet and exerciſe once in each Month.

XL. § 27. If any Perſon impowered to put this Act in Execution, ſhall be ſued or moleſted, he may plead the General Iſſue, and give the Act in Evidence; and the Judges are required

to

to admit the ſame without ſpecial pleading, and to indemnify them from all Proſecutions for any thing done in the Execution of their Truſts.

XLI. § 28. This Act to continue Five Years, and from thence to the next Sitting of the Aſſembly.

N° 18. Officers and Offices.

I. § 1. PReamble complains of Loſſes that may redound to the Inhabitants, by the Neglect of Officers; and therefore enacts, That the Treaſurer, Secretary, and Provoſt-marſhal, or their Deputies, ſhall not act till they have given Security, to be approved of by the Governor and Council.

II. § 2. The Treaſurer's Bond to be for Five thouſand Pounds, to make due Accounts of publick Money to the Governor and Council; and to demean himſelf in all things according to Law.

III. § 3. The Secretary, or his Deputy's Bond ſhall be for One thouſand Pounds, that they ſhall faithfully perform the Truſt repoſed in them: *The Acts ſeem to intend, that the Provoſt-marſhal ſhould give the ſame Security as the Secretary, but the Words are not plain.*

IV. § 4. Forfeitures are Two-thirds to the Publick, and One-third to the Informer. This Act not to leſſen the Prerogative of the Crown.

N° 64. V. § 1. A Court-houſe to be built on the Crown Land, adjoining to the Gaol in the Town of *Old Road*.

VI. § 2. The Court-houſe to contain one Story or Loft, 12 Foot high.

VII. § 3. Governor to appoint Surveyors, who ſhall buy Materials, and appoint Workmen to build it.

VIII. § 4. All Charges to be defrayed by the publick Treaſurer.

IX. § 5. A Plan of the Work, and Eſtimate of the Charge, to be laid before the Governor, Council, and Aſſembly, for their Approbation.

X. § 6. All the publick Records of the Iſland to be kept in that Building, in ſuch reſpective Offices as ſhall be directed by the Governor, Council, and Aſſembly.

XI. § 7. The Secretary's, and all other publick Offices, to be kept at *Old Road*, and no where elſe, on Penalty of One hundred Pounds for each Officer's Neglect.

By the following Act, paſſed in 1728. *it appears, that this Act had never been put in force, and that it was improper, and therefore it was repealed; but the following Act being enacted not to be in force till confirmed by the Crown, it was thought proper to print both of them.*

N° 76. XII. § 1. PReamble ſhews Reaſons why the Courts and Offices ſhould be transferred from the Town of *Old Road* to the Town of *Baſſeterre*, and therefore repeals the foregoing Act, and enacts, That the Court-houſe ſhall be built in *Baſſeterre* 60 Foot long, 40 Foot wide, and 22 Foot high, with proper Apartments for the Council, Aſſembly, and Offices, and to keep the Records in.

XIII. § 2. The Courts of Juſtice, and all publick Offices are to be kept there, and no where elſe, on Penalty of Five hundred Pounds for each Officer's Neglect.

XIV. § 3. All Officers to attend in their reſpective Offices each Day (except Holy-days) from Eight to Twelve in the Forenoon, and from Three to Six in the Evening, on Penalty of Ten Pounds.

XV. § 4. A Tax levied, by a Poll on Slaves, to build this Houſe.

XVI. § 5. Owners of all Slaves to give in a Liſt of them, on Penalty of Ten Pounds.

XVII. § 6. And the Treaſurer was to collect the Tax, and diſtrain for the ſame.

XVIII. § 7. The Tax was to be paid in Sugar, and the Treaſurer to have Five *per Cent.* for collecting it.

XIX. § 8. The Governor, Council, and Aſſembly might exempt poor People from paying this Tax.

XX. § 9. A Penalty of One hundred Pounds was laid on Church-wardens, and Juſtices of the Peace, neglecting their Duty; and Ten Pounds on Conſtables.

XXI. § 10. The Treaſurer was to keep a Regiſter of all Orders about Money lent or furniſhed upon the Credit of this Act, and ſuch Orders to be diſcharged in a due Courſe.

XXII. § 11. The Treaſurer was to buy Land to build the Houſe on.

XXIII. § 12. And the Governor was to appoint Perſons to manage the Building.

XXIV. § 13. Perſons ſued for putting this Act in Execution, may plead the General Iſſue, and give the Act in Evidence.

XXV. § 14. But this Act was not to be in force till confirmed by the Crown, which was done in 1729.

N° 65. Pariſhes.

I. § 1. THIS Act fixed the Bounds of the new Pariſh of St. *Paul Cabeſterre*; and enacted, That the ſame ſhould be ſubjected to the Act for regulating Veſtries, and enjoy all Privileges, in as full a Manner as any other Pariſh in the Iſland.

II. § 2. The Pariſhes of St. *Anne Sandy Point*, and St. *John Cabeſterre*, were enlarged alſo by it.

III. § 3. But this Act was not to be in force any longer than until His Majeſty ſhould diſpoſe

diſpoſe of the Lands in the ſaid Quarter: And was repealed by the Act of 1727. for regulating Veſtries, *&c.*

N° 70. IV. § 1. BY the Act for regulating Veſtries, and erecting into Pariſhes thoſe Parts of the Iſland formerly belonging to the *French*, &c. Three former Acts are repealed, relating to Veſtries, and Bounds of Pariſhes: And

V. § 2. The whole Iſland is now divided into Nine Pariſhes, called

St. *George Baſſeterre,*
Peter Baſſeterre,
Mary Cayon,
Chriſt Church Nichola Town,
John Cabeſterre,
Paul Cabeſterre,
Anne Sandy Point,
Thomas Middle Iſland,
Trinity Palmetto Point,

which are to be bounded as deſcribed in the Act.

In 1733, *another Act*, N° 89, *was paſſed for ſettling and deſcribing more clearly the Limits and Bounds of Pariſhes, and for amending the foregoing Act, in which the Bounds of all the Nine Pariſhes are deſcribed more largely than in the foregoing Act; but this laſt Act of* 1733, *is not to be in force till confirmed by the Crown; and therefore the Acts are both printed, the firſt being now in force, and the ſecond will be in force when confirmed, which no doubt will be done whenever it is applied for.*

N° 47. Powder Duty.

I. § 1. PReamble ſets forth the Neceſſity of having Powder and Arms in the Fort to protect the Shipping; and enacts, That all Maſters of Ships, in 48 Hours after their Arrival and unlading any Goods, ſhall pay One Pound of Powder for every Ton ſuch Ship meaſures.

II. § 2. Every Veſſel of 100 Tons ſhall furniſh a good Firelock or Fuzee, worth Twenty Shillings, and ſo proportionable for every 100 Tons ſuch Ship ſhall meaſure: And all Ships under 100 Tons ſhall pay Four Pence *per* Ton; and all odd Meaſure, above 100 or 200, *&c.* Tons, ſhall pay Four Pence *per* Ton, towards buying ſmall Arms, beſides the Powder Duty.

III. § 3. No Veſſel ſhall be cleared by the naval Officer, till the Maſter produce a Receipt from the Collector for the Payment of theſe Duties, on Penalty of Five Pounds.

IV. § 4. A Surveyor ſhall be appointed to meaſure all Ships, and ſhall receive Fourteen Shillings for each Ship ſo meaſured, of the Maſter; and ſhall regiſter ſuch Surveys, and give Account thereof to the Governor, when required: Provided, no Ship ſhall pay a ſecond Time for meaſuring; and that no Veſſels bringing live Cattle only from the other Leeward Iſlands, nor Veſſels putting in for Refreſhment, ſhall pay theſe Duties: And that all Inhabitants ſhall be exempted from paying the Duty for ſuch Veſſels, or Part thereof, as belong to them.

V. § 7. The Collector is allowed Five *per Cent.* for receiving, and is to account with the Council and Aſſembly, or a Committee thereof, for what he ſhall receive or pay every Year, on Penalty of One thouſand Pounds.

By an Act of 1725-6, N° 66, *to repeal Part of the foregoing Act, all Ships bringing Proviſions, live Stock,* &c. *from the* Britiſh *Iſlands to the Leeward of St.* Chriſtopher's, *are exempted from the foregoing Duties; but the firſt Act expiring in* 1733, *was by another Act in* 1733 *continued to* 1744; *that continuing Act being repealed, the Duty was ſunk; but the Governor was inſtructed to paſs a new Act, with ſome Amendments, which is not yet tranſmitted.*

N° 69. Regiſter.

I. § 1. ALL Deeds and Conveyances, *&c.* and all Writs and Deviſes, whereby Lands or Slaves may be affected, ſhall be regiſtred, or deemed fraudulent, if pleaded againſt any ſubſequent Purchaſer or Mortgagee.

II. § 2. No Lands or Hereditaments ſhall paſs from one to another, or take Effect in any other Perſon, or any Uſe raiſed by Sale, Feoffment, Conveyance, *&c.* except regiſtred in Three Months after making, if in the Iſland, and in Two Years, if made beyond Sea.

III. § 3. This Act not to affect the Sale of the late *French* Lands by the Crown; nor any Leaſe, where the full Rent is reſerved, and the Leſſee is in Poſſeſſion.

IV. § 4. All Mortgages to be regiſtred in one Month after made, if in the Iſland, and in one Year, if made beyond Sea.

V. § 5. All Gifts and Grants of Slaves made to any Perſon whatever, in Conſideration of Blood or natural Affection, ſhall be void, unleſs regiſtred in the Time limited before for Sales or Mortgages of Land: And all Deeds made upon the Iſland, ſhall be proved before a Judge before they are regiſtred; and all ſuch Deeds made beyond Sea, ſhall be proved before ſome Chief Magiſtrate in the Country where executed.

VI. § 6. The Regiſter Office ſhall be kept at *Baſſeterre* by a fit Perſon, to be elected by the Governor, Council, and Aſſembly; and ſo

ſo often as the Office ſhall be vacant, a new Regiſter ſhall be in like Manner elected.

VII. § 7. In Caſes of Vacancies by Death, the Place ſhall be executed by the Executors or Adminiſtrators of the deceaſed, with his Sureties, until a new Election; and ſuch Sureties ſhall ſo long remain liable.

VIII. § 8. The Regiſter ſhall indorſe a Certificate on every Deed, Conveyance, or Will, of the Time, Book, and Number, when and where regiſtred, which ſhall be allowed as Evidence in all Courts; and the Books of Regiſter ſhall have the Time of every Regiſter entred in the Margin of the ſaid Books: And the Regiſter ſhall keep a Kalendar, referring to every Deed, Conveyance, or Will, that concerns Lands, Hereditaments, or Slaves, with the Names of the Perſons, and regiſter them in order as they come to his Hands.

IX. § 9. The Regiſter ſhall take the Oath preſcribed in the Act, and give Two thouſand Pounds Security for the faithful Performance of his Duty: And if any Perſon ſuffer wrong by the Regiſter, he may bring a *Scire facias* againſt the Regiſter, and his Sureties; and if conteſted and tried, and Judgement go againſt ſuch Regiſter, he ſhall pay treble Damages to the Party aggrieved.

X. § 10. The Regiſter ſhall attend at his Office every Day, except Holy-days, from Seven to Twelve in the Forenoon, for the Diſpatch of Buſineſs; and ſhall make Searches, and give Certificates under his Hand, if required.

XI. § 11. If the Regiſter ſhall regiſter any Deed before proved, as aforeſaid, or any way neglect his Duty, or ſuffer any fraudulent Practice in his Office, he ſhall forfeit his Place, and pay treble Damages to the Perſon injured; and if the Security fall ſhort of the Damage ſuſtained, the Perſon damnified may bring an Action of Debt.

XII. § 12. In caſe the Regiſter die, or ſurrender his Office, and no Damage appear in Two Years, then his Security ſhall be diſcharged.

XIII. § 13. Perſons ſupplying deceaſed Regiſters Places, during a Vacancy, ſhall be ſworn, and liable to treble Damages for male Practices.

XIV. § 14. All Writs that ſhall be regiſtred in Three Months after the Death of the Teſtator, if he died in the Iſland, or in Two Years after his Death, if he died beyond Sea, ſhall be as valid, as if they had been regiſtred immediately after ſuch Teſtator's Death.

XV. § 15. Provided, That if the Perſons intereſted in the Effects deviſed by ſuch Will, ſhall be diſabled to regiſter ſuch Will in due Time, he ſhall be allowed Six Months Time after he ſhall attain ſuch Will, and the Impediments removed.

	l.	*s.*	*d.*
XVI. § 16. Regiſter's Fees for entring 100 Words,	0	01	06
For a Search,	0	04	06
And for a Certificate,	0	04	06

XVII. § 17. This Act to be allowed a publick Act

XVIII. § 18. But not to be in force, till approved by the Crown; which was done in 1728.

N° 100. Seamen.

I. § 1. E *Nacted*, That all Sailors belonging to Ships anchoring in any Road of the Iſland, who ſhall abſent themſelves from their Veſſels 48 Hours without Leave, and ſhall be convicted thereof before a Juſtice, ſhall forfeit all their Wages due.

II. § 2. All Sellers of Rum or Rum-punch, or other Liquors, who ſhall harbour any Sailor belonging to a Veſſel at Anchor, after Eight of the Clock at Night, without a Ticket from his Maſter or Mate; or ſhall conceal a Sailor; or ſhall permit any Sailor to ſtay an Hour after forbid by the Maſter or Mate; ſuch Seller of Rum or Rum-punch, being convicted before Two Juſtices, ſhall forfeit his Licence, and ſuffer the ſame Penalties as thoſe that ſell Liquors without Licence.

III. § 3. Every Maſter of a Ship who ſhall receive a Sailor on Board without a Certificate of Diſcharge from the laſt Ship he ſerved in, or Oath made before a Juſtice, that he doth not belong to any other Veſſel, ſhall forfeit Twenty Pounds; Half to the Maſter of the Veſſel the Sailor left without being diſcharged, and Half to the Poor of the Pariſh; to be recovered in any Court of Record.

IV. § 4. Sick Sailors having been often left upon the Iſland by their Captains, which has brought great Expences upon the Pariſhes; to prevent this, it is enacted, That it be made Part of the Bond entred into by Maſters of Ships in the Secretary's Office, that he ſhall take care of the Sailors belonging to his Veſſel, that they ſhall not become chargeable to any Pariſh in the Iſland within Six Months after the Departure of the Ship, except ſuch Sailors as have a legal Settlement in ſuch Pariſh; and the Penalty of ſuch Bonds ſhall be Fifteen hundred Pounds.

V. § 5. This Act was to continue in force but Five Years, and to the next Seſſion of Aſſembly.

N° 7. Ships.

I. § 1. E *Nacted*, That the Maſter of every Veſſel, or ſome Perſon for him, before they trade or land Goods (living Creatures excepted) ſhall, on Forfeiture of Ship and Cargo, wait on the Governor, and give

Security, with a Freeholder or Merchant of Ability, in One thouſand Pounds, that he ſhall not carry off any Perſon without a Ticket, ſigned by the Governor, nor depart himſelf with his Veſſel without Leave, under Penalty of Fifty Pounds; but not to extend to Wives, and Children under Fourteen Years old: And Maſters of Sloops, and ſmaller Veſſels, ſhall give Security but once a Year.

II. § 2. The naval Officer ſhall ſign no Let-paſs or Clearance to the Maſter of any Veſſel, before ſuch Maſter has entred his Veſſel in the Secretary's Office, on Penalty of One hundred Pounds; but Maſters of Sloops trading to the Windward of the Iſland only, ſhall be excuſed waiting on the Governor.

III. § 3. Secretary ſhall not deliver a Ticket, ſigned or to be ſigned by the Governor, to any Perſon to go off the Iſland, until his Name has been up in the Office 21 Days; unleſs he take good Security for paying ſuch departing Perſons Debts, on Penalty of being liable to ſatisfy the Creditors: And Maſters of Servants or Slaves carried off clandeſtinely, without having given ſufficient Security, ſhall recover Damages of the Secretary.

IV. § 4. Bonds ſhall be taken for the Crown, but for the Uſe of the Perſons concerned; and when ſuch Bonds are put in Suit, and Judgement obtained, no Execution ſhall iſſue, before the Perſon aggrieved ſhall ſummon the Perſon againſt whom the Judgement was obtained, to ſhew Cauſe why Execution ſhall not iſſue: And if the Plaintiff ſhall prove Damage, and a Verdict be found for him, the Judge ſhall award Execution for ſo much as the Jury ſhall find; and the former Judgement ſhall remain cautionary, for Satisfaction of ſuch others as ſhall prove Damages, and recover, as aforeſaid.

V. § 5. Debtors, Servants, or Slaves eſcaping from the Iſland, and taken up at Sea, the Maſter of the Ship, and his Security, ſhall be liable, as if taken from the Shore.

VI. § 6. Provided, That if the Maſter make Oath, that he knew nothing of ſuch run-away Servant or Slave, but took them up purely to ſave Life, and ſhall take the firſt Opportunity to return them to their Owners, then the Maſter and his Security ſhall be free, and the Owner of ſuch Runaway ſhall pay the Charge.

VII. § 7. If ſuch Bonds are not ſued within Three Years after Date, they ſhall be declared void.

VIII. § 8. The Governor, on Complaint of any Perſon underwritten or arreſted, may grant a Commiſſion for a Special Court of Expedition to try the Cauſe, the Plaintiff making Oath, that he is deſigned off the Iſland, and cannot ſtay to the uſual Courts: And the Commiſſioners ſhall be ſworn, and ſhall ſummon Parties to appear, and a Jury; and if the Plaintiff recover, give Judgement, and iſſue Execution: If an Underwriting appear malicious, he ſhall pay treble Damages.

IX. § 9. Where a Perſon has Cauſe of Action in Damages, and not in Certainty, he may underwrite for a Sum in Groſs.

N° 51. Servants.

I. § 1. *Enacted*, That every Servant by Indenture, who ſhall abſent himſelf from his Maſter's Service, ſhall for every Day's Abſence ſerve Two Days after his Indenture is expired.

II. § 2. No Perſon to entertain any Man or Woman above one Night, unleſs known to be free, on Penalty of Twenty Shillings *per* Night; and if known to be a Servant, and do wilfully entertain ſuch Servant, then to forfeit Three Pounds for every Day or Night he ſhall ſo entertain ſuch Servant, to the Maſter of the Servant: And if a Freeman, Labourer, or Servant, hide a Servant of another Maſter's, and be not able to give Security to ſtand an Action of Law, then to ſuffer ſuch Puniſhment as ſhall be adjudged by Two Juſtices.

III. § 3. Suſpected Perſons entring any Plantation, may be apprehended and brought to the next Conſtable, who is required to receive him, on Penalty of Forty Shillings, and to convey him to the common Gaol, or to his Maſter, for which he ſhall have Ten Shillings, and One Shilling *per* Mile for travelling Charges; to be paid by the Provoſt-marſhal, or Maſter reſpectively; and if the Maſter refuſe to pay the ſaid Fee, it ſhall be levied by Warrant from a Juſtice; and if the Provoſt-marſhal refuſe to receive ſuch Servant at the Gaol, or to pay the Conſtable's aforeſaid Fee, he ſhall forfeit Five Pounds, to be recovered in any Court; and the Maſter of ſuch Servant ſhall reimburſe the Marſhal, and pay the Fees of Impriſonment, before his Servant be delivered to him.

IV. § 4. All Servants impriſoned for their own Offences, ſhall ſerve their Maſters double the Time, after the Expiration of their Time of Servitude, as they lay in Gaol, and ſuch further Time as ſhall be adjudged by Two Juſtices, for Satisfaction of Fees, and other Expences the Maſter hath been at for him.

V. § 5. If any Perſon keeping a publick Houſe, ſhall ſuffer a Servant to be drunk, or loiter away his Time at his Houſe, he ſhall be indicted at the Seſſions, and fined at the Juſtice's Diſcretion.

VI. § 6. If any Servant aſſault his Maſter, Miſtreſs, or Overſeer, he ſhall ſuffer One Year's Impriſonment, or leſs, at the Juſtice's Diſcretion, or ſuch further Puniſhment, not to

to extend to Life or Limb, as the Juſtices in Seſſions ſhall think proper.

VII. § 7. And to encourage Servants to do their Duty, all thoſe who by Agreement are to ſerve for Clothes and Diet, ſhall be allowed Four Shirts, Four Pair of Breeches, and Four Waiſtcoats, Four Pair of Shoes, Three Pair of Hoſe, Two Hats, Two Neck-clothes, Two Handkerchiefs, and One Coat; and Women-ſervants proportionable; and each faithful Servant ſhall be paid Four Pounds at the End of their Time, if Four Years, or more; and in the Time of their Servitude ſhall be allowed a Pound and a Half of ſalt Beef, with Bread, *&c. per* Day.

VIII. § 8. All Differences in point of Wages between Maſters and Servants, by Covenant for yearly Wages, or Overſeers, Labourers, or Artificers, by Contract, for Work done, ſhall be determined by Two Juſtices of the Peace, who ſhall hear the Cauſe of Complaint, and iſſue Execution thereon, by Warrant for any Sum not above Thirty Pounds, directed to the Provoſt-marſhal, who ſhall, on Penalty of Three Pounds, levy on the Goods of the Debtor, and make Sale thereof at Outcry at the neareſt Town, returning the Overplus, if any, to the Owner.

IX. § 9. Maſters ſhall not remit a ſick Servant's Time, to be cleared of him, nor turn off any ſuch Servant, whereby he may periſh for want, or become chargeable to the Pariſh; but ſhall uſe all lawful Means for the Recovery of ſuch ſick Servant, on Penalty of Fifteen Pounds; to be levied by a Juſtice's Warrant, for the Uſe of ſuch ſick Servant, and the Servant ſhall be freed from his Maſter; but in caſe the Servant ſhall not live to ſpend the whole Sum, then the Remainder ſhall be to the other Poor of that Pariſh.

X. § 10. Provided, if any Servant, through his own wilful Misbehaviour, have any Diſeaſe, broken Bones, Bruiſes, or other Impediment, whereby he is diſabled to do his Duty, and become chargeable to his Maſter, he ſhall ſerve his Maſter, after the Expiration of his Time, an equal Space of Time, as he was diſabled: And in caſe of Refuſal, a Juſtice of the Peace may commit him to the common Gaol, to be kept with Bread and Water for the like Time.

XI. § 11. Complaints of Maſters againſt Servants, or Servants againſt Maſters, ſhall be heard by a Juſtice of Peace, who ſhall take ſuch Order therein, as the Equity of the Caſe ſhall require; and if the Juſtice cannot agree the Matter between them, then he ſhall bind the Maſter to appear at the next Seſſions, or before the Governor and Council, where, upon hearing, if it be thought fit to diſcharge ſuch Servant of further Service, then ſuch Juſtices, not leſs than Four, or the Governor and Council, have Power to do it accordingly; but if the Fault be found to be in the Servant, then the Juſtices in Seſſions, or the Governor and Council, ſhall cauſe ſuch Puniſhment to be given to the Servant as they think fit.

XII. § 12. If any Maſter of a Veſſel import more Servants than he can ſell, he may offer them to the Treaſurer; who is required, under Penalty of Five Pounds, to receive ſuch Servants, being *Britiſh* Subjects and Proteſtants, and to pay Fifteen Pounds for the ſame to ſuch Maſter, out of the publick Stock, for every able Man-ſervant to ſerve Four Years, or more.

XIII. § 13. The Treaſurer having received ſuch Servants, ſhall aſſign them over to any Planters who have not their ſufficient Number of Servants or Men in Arms, as are required by Law; who is obliged to receive ſuch Servant, and to pay to the Treaſurer Eighteen Pounds, and reaſonable Charges for keeping: And if any Perſon, without reaſonable Cauſe, refuſe to receive ſuch Servant, and to pay the ſaid Eighteen Pounds, and Charges, then the Treaſurer ſhall by Warrant levy the ſame on the Goods of the Perſon ſo refuſeing.

XIV. § 14. All Fines to be levied by virtue of this Act, ſhall be levied by the Governor's Warrant to the Provoſt-marſhal, who ſhall execute the ſame, on Penalty of double the Sum: And ſuch Fines as are not by this Act applied, are to be paid to the Treaſurer; to be applied to the Uſe of the Fortifications: And the Treaſurer, on Penalty of Five Pounds, ſhall notify to the Governor what Sums he receives, within Three Days after ſuch Receipt.

Nº 2. Slaves.

I. § 1. *Enacted*, That it ſhall be lawful for any Juſtice of Peace, on Complaint of Felonies or Crimes committed by Slaves, to iſſue a Warrant for apprehending the Offenders; and in Three Days after their being in Cuſtody, with the Aſſiſtance of another Juſtice, without a Jury, to try and award Pains, as to Life or Limb, and cauſe Execution, or other Puniſhment, by Warrant under their Hands and Seals, regulating themſelves according to the Practice of the Courts of *England* in Criminal Caſes.

II. § 2. If any Perſon carry a Slave off the Iſland that is not his own, or whom he is not lawfully poſſeſſed of, he ſhall be guilty of Felony, without Benefit of Clergy

III. § 3. Every Perſon trading with Slaves for any Goods, Merchandize, Stock, or Poultry, without Conſent of the Slave's Maſter, ſhall be bound to his good Behaviour, and to appear at the next Seſſions, and be there fined, not above Twenty Pounds, or double the Value of the Goods bought.

IV. § 4. If

IV. § 4. If any Slave oppoſe or ſtrike a white Perſon, on Complaint to a Juſtice, the Slave ſhall be whipt at the Juſtice's Diſcretion; and if the white Perſon be hurt, bruiſed, or maimed, then the Slave ſhall ſuffer Death, or ſuch other Puniſhment as Two Juſtices ſhall judge fit.

V. § 5. Every Perſon entertaining Slaves not his own, being Runaways, above 24 Hours, and not giving Notice to the Owner, if known, ſhall forfeit to the Owner Twelve Shillings a Day for a Field Negro, and Twenty Shillings if a Tradeſman; but if the Owner be not known, then the Party that has the Slave, ſhall carry him to the Provoſt-marſhal, who ſhall receive him, and pay the Bringer Twelve Shillings for taking ſuch Slave up, and Nine Pence for each Mile brought to the Gaol; and the Marſhal ſhall keep the Slave, and put up his Name, Age, or other Deſcription, on the Priſon-door, or other publick Place; and if the Marſhal ſhall refuſe or neglect to do his Duty, he ſhall forfeit Six Pounds.

VI. § 6. If the Marſhal ſhall ſuffer ſuch Slaves to eſcape, or put them to work, he ſhall forfeit for every Day's Abſence Twenty Shillings: And if any Slave periſh for want of Proviſions, he ſhall forfeit Fifty Pounds to the Owner.

VII. § 7. The Marſhal, upon the Delivery of a Slave to his Owner, ſhall receive the Twelve Shillings paid for taking, and the Nine Pence *per* Mile, and Twelve Pence *per* Day for keeping: And if any Slave lie Three Months in Priſon, he ſhall be ſold at publick Outcry for the Fees and Charges, by Warrant from Two Juſtices, and the Overplus to the Owner, if known, otherwiſe to the Publick, till the Owner ſhall appear, to whom the Treaſurer ſhall pay what remains; and the Marſhal ſhall give Notice to the Juſtices when Three Months are expired, for ſuch Slave, or forfeit Four Pounds.

VIII. § 8. If any Perſon ſhall kill a Slave in the juſt Defence of his Perſon or Property, or in Purſuit, if run away, or broke out of Priſon, and reſiſting or refuſing to ſubmit; ſuch Perſon ſhall not be proſecuted for the ſame, either in Law or Equity.

IX. § 9. When any Negroes ſhall be taken, and condemned for a Crime, they ſhall, before Execution, be valued and appraiſed by Two Freeholders, by Warrant from Two Juſtices; but the Appraiſers ſhall not value any Slave at above Five thouſand Pounds of Sugar; and in caſe of Lameneſs, or other Incapacity of Service, then the Valuation to be leſs, according to their Skill and Judgement on Oath.

X. § 10. That an equal Diſtribution may be made between the Parties Sufferers, of the Value of ſuch Slave, when ſuch Slave is executed, the Treaſurer ſhall pay Three thouſand Pounds of Sugar to the Owner of the Slave, and Two thouſand Pounds to the Perſon robbed or damaged.

XI. § 11. Provided the Damage done by ſuch executed Slave amount to Two thouſand Pounds of Sugar, otherwiſe the Surplus ſhall go to the Owner of the Slave executed.

XII. § 12. To prevent the Neglect of executing condemned Slaves, the Marſhal, on Notice when and where Execution is to be done, ſhall not fail to diſcharge his Duty, on Penalty of Ten Pounds, to be levied by the next Juſtice's Warrant; and for want of Diſtreſs, the Marſhal to be committed to the publick Gaol: And for every ſuch Execution the Marſhal ſhall be paid Five hundred Pounds of Sugar, out of the Value of the Slave: And in the Abſence of the Marſhal, whoever does execute ſuch Criminal, ſhall receive the Benefit of the Five hundred Pounds of Sugar; to be levied as aforeſaid.

XIII. § 13. To prevent Slaves eſcaping, every Slave committing a Felony, and abſenting himſelf Four Hours after the Crime committed, ſuch Slave is declared outlawed; and if the Owner hinder the Slave from being brought to Trial, he ſhall not receive any Benefit by this Act, if his Slave be brought to Trial by any other Means: And if any Perſon ſhall ſend off a Negro that hath killed another, he ſhall pay the Owner of the Negro killed, as aforeſaid.

XIV. § 14. No Retaler of Strong-liquors ſhall on any Holy-day ſell ſuch Liquors to any Slave, on Penalty of Three Pounds: And all Juſtices of Peace, and Conſtables are to diſperſe all unuſual Concourſes of Negroes about the Towns, or elſewhere, on *Sundays* or Holy-days; and to take up all Negroes found armed with Weapons, or playing at Dice, or other unlawful Sports, or drinking in publick Houſes; and ſuch Negroes ſhall be publickly whipt.

XV. § 15. And to provide for difficult Caſes, the Juſtices in their Seſſions may make ſuch further Orders and Regulations, as ſhall be neceſſary for the better Government of Slaves.

XVI. § 16. Sundry Slaves having at that Time deſerted their Maſters, and abſconded into the late *French* Lands, with intent to go over to the Enemy; therefore a large Encouragement was enacted to be paid to ſuch Perſons, as ſhould take and ſecure any of them, which is now obſolete.

XVII. § 17. If any Juſtice of the Peace neglect his Duty, he ſhall forfeit Twenty Pounds; to be ſued for in any Court in the Iſland.

XVIII. § 18. And when the Provoſt-marſhal or Conſtable neglects, and where no Penalty is otherwiſe mentioned, the Juſtice, before whom the Matter lies, ſhall fine him, not

not exceeding Ten Pounds: And all Penalties ariſing by this Act, ſhall be levied by Warrant of Two Juſtices, and ſold at publick Outcry: And the Fines to be Half to the Informer, and Half to the Fortifications of the Iſland.

N° 52. XIX. § 1. & 2. PReamble complains of the Deficiency of the former Act for the Government of Slaves, and the Dangers ariſing from ſeveral Slaves then in Rebellion; and therefore attaints Three of them, and grants a Reward for apprehending or killing of them.

XX. § 3. All Slaves, who after they have been Twelve Months upon the Iſland, ſhall deſert their Service, are declared Felons.

XXI. § 4. A Clauſe of general Pardon for Slaves then in Rebellion, in caſe of their returning to their Maſters.

XXII. § 5. A Reward of Six Pounds to be paid for apprehending or killing any runaway Slave, who has been abſent from his Maſter's Service Six Months in one continued Space of Time.

XXIII. § 6. Every Slave entertaining or concealing a runaway Slave, knowing him to be ſo, ſhall for the firſt Offence be publickly whipt, not exceeding Fifty Stripes; for the ſecond Offence, One hundred Stripes; for the third Offence, One hundred and fifty Stripes; and ſo for each After-offence.

XXIV. § 7. Every free Perſon knowing a Slave to be run away, and ſhall entertain or conceal him, ſhall forfeit for the firſt Offence Ten Pounds; for the ſecond Offence double, and Six Months Impriſonment; and for the third Offence One hundred Pounds, and One Year's Impriſonment, and be liable to pay for any ſuch Offence to the Owner of ſuch runaway Slave ſuch Sums as are in the laſt foregoing Act, which Act is hereby declared to be in Force.

XXV. § 8. Slaves attainted by this Act, when taken, ſhall be executed by Warrant from any Two Juſtices of the Peace: And all Slaves tried, and adjudged guilty of Felony by virtue of this Act, ſhall, before Execution, be valued and appraiſed; to be paid for by the Treaſurer, as directed by the foregoing Act: And in all Trials of Slaves, the Juſtices ſhall hear the Evidence of any other Slave, and give Credit thereto, at their Diſcretion.

XXVI. § 9. For the better apprehending of runaway Slaves, the Maſter of ſuch Slave, or any other Perſon by his Direction, may enter any Negro-houſe by Night or Day, to ſearch for ſuch Runaway, without any Warrant.

XXVII. § 10. If any Slave abſent himſelf from his Maſter's Service above Six Months, or ſhall wilfully murder any Chriſtian or Slave belonging to his own Maſter, and the Maſter neglect to proſecute him, and any other Perſon do proſecute, and the Slave be convicted, the Maſter ſhall pay the full Value of the Slave to the Perſon proſecuting, and not receive it from the Treaſurer.

XXVIII. § 11. For the more ſpeedy enforcing the Payment of ſuch Forfeitures, any Juſtice may iſſue his Warrant to Two Perſons, to appraiſe a Slave convicted as aforeſaid; and another Warrant to the Marſhal or Conſtable, to levy the ſame upon the Goods of ſuch Maſter, and to pay the ſame to the Perſon proſecuting as aforeſaid.

XXIX. § 12. No Maſter ſhall give his Slaves Leave to go out of his Plantation on *Sundays*, except ſuch as wait on him, or with a Ticket, ſpecifying the Time allowed: And if any Maſter find a Slave on his Plantation without a Ticket, or Buſineſs from his Owner, and does not whip him, he ſhall forfeit Twelve Shillings.

XXX. § 13. Any white or free Perſon may apprehend any Slave found out of his Maſter's Plantation, eſpecially on *Saturday Nights*, *Sundays*, and Holy-days, not being on his Maſter's Buſineſs, nor having a Ticket, or a white Man with him, and may whip ſuch Slave; and if ſuch Slave be armed with miſchievous Weapons, he may be taken up, diſarmed, and whipt.

XXXI. § 14. Every Maſter ſuffering his Slaves to beat Drums, or uſe any other loud Inſtruments, or publick Meetings or Feaſtings of ſtrange Negroes in his Plantation, ſhall forfeit Twenty Pounds for each Offence: Provided Information be made within a Month after the Offence committed.

XXXII. § 15. And every Maſter of a Family ſhall, under Penalty of Twenty Shillings, cauſe all his Negro houſes to be ſearched once a Fortnight, for runaway Slaves, or miſchievous Weapons, or Goods diſhoneſtly come by; and what they find, they ſhall ſeize, and give Notice thereof to the Clerk or Conſtable of the Pariſh, who ſhall ſet up a Notice of it on the Church Door; and the Loſer deſcribing the Goods, ſhall have them again without Charge.

XXXIII. § 16. Such Chriſtians as ſhall apprehend, or bring a runaway Slave to the Provoſt-marſhal, ſhall deliver upon Oath an Account when and where he apprehended ſuch Slave, and that he knew of no Ticket he had; and the Gaoler redelivering ſuch Slave, ſhall take a Receipt of the Perſon to whom delivered, with a Deſcription of ſuch Slave.

XXXIV. § 17. If the Commanding Officer of the Iſland have Notice of the Reſidence of any runaway Slaves, he may raiſe and arm Soldiers to apprehend or kill them: Soldiers refuſing to go in queſt of ſuch Runaways, ſhall forfeit Thirty Shillings: And whoever ſhall take a runaway Slave, who has been abſent from his Maſter Two Months, ſhall have a Reward of Eight and twenty Shillings; to be paid by the Owner of the Negro, if delivered

vered to him, or by the Marſhal, if delivered at the Gaol.

XXXV. § 18. Any Slave diſcovering a Deſign of Mutiny or Rebellion, or Preparation of Arms, other than what is allowed of for watching, to a Juſtice of Peace, ſuch Juſtice, with another Juſtice, ſhall cauſe the Slave accuſed to be apprehended, and if they find the Accuſation juſt, the Slave ſhall be tried as for Murder, and if he be condemned, he ſhall be appraiſed, as by the foregoing Act is directed; and the Slave giving the Information, ſhall be paid Three Pounds: But if any Slave ſo accuſing other Slaves, ſhall not make good his Accuſation, then ſuch Accuſer ſhall be puniſhed, not extending to Life or Member, at the Juſtices Diſcretion.

XXXVI. § 19. If any Perſon buy Goods from any Slave, except the Slave have a Ticket for that Purpoſe from his Maſter, ſuch Buyer being convicted of ſuch Crime, under Twenty Shillings, ſhall ſuffer Six Months Impriſonment, and if above Twenty Shillings Value, declared guilty of Felony.

XXXVII. § 20. One Moiety of all Penalties ariſing by this Act, ſhall be to the Publick, the other to the Informer; to be levied by Warrant from a Juſtice of Peace, directed to the Provoſt-marſhal, or a Conſtable.

XXXVIII. § 21. Perſons proſecuted for doing their Duty in purſuance of theſe Acts, may plead the General Iſſue, and give this Act in Evidence: And all Courts ſhall allow both the Acts to be publick Acts.

N° 90. Sugars. —— Taxes.

IT ſhall be lawful for the Treaſurer to pay away ſuch Sugars as he hath already received, or may hereafter receive, at the current Price that Sugar at the Time of the Publication of this Act generally is received and paid in this Iſland; and the Treaſurer, upon account of ſuch Payments by him made or to be made, is hereby indemnified and diſcharged.

N° 6. Treſpaſſes.

I. § 1. ENacted, That all Owners of Land ſhall keep in good Repair a ſufficient Fence on the Eaſtward or Windward Side, and at the Head of all their Lands, and alſo to all common Paths or Highways running through the ſaid Lands, on Penalty of Fifty Pounds, and be excluded Satisfaction for Damage ſuſtained by Treſpaſſes during ſuch Neglect.

II. § 2. Every Perſon breaking down, deſtroying, or carrying away Rails or Fences, on Conviction before a Juſtice, ſhall be fined at the Juſtice's Diſcretion; and on Non-appearance, to ſuffer Corporal Puniſhment: And if any Cattle ſhall break down Fences, the Owner of ſuch Cattle is obliged to repair the ſame, and pay the Damages to be adjudged by Two Neighbours impowered by a Juſtice's Warrant: And in caſe ſuch Perſons ſo appointed ſhall neglect to appear, or refuſe to perform the Service, without reaſonable Excuſe, each Neglector ſhall forfeit Twenty Shillings: And every Perſon refuſing to make ſuch Satisfaction for Damages, as ſhall be determined, with Charges, not above Six Pounds, the Juſtice may iſſue his Warrant of Diſtreſs on the Offender's Goods; to be ſold at Outcry: If the Damage be above Six Pounds, it ſhall be recovered by Action of Treſpaſs.

III. § 3. For ſecuring Stock taken up for treſpaſſing, every Perſon's private Pen ſhall be uſed inſtead of a Pound; and ſuch as have no Pen, may ſecure them as they can; provided they forthwith give Notice to the Owner.

IV. § 4. All Perſons impounding Stock, ſhall have for every Horſe, Cattle, Mule, or Aſs of any Age, Twelve Pence; for every Sheep, Three Pence, for every 24 Hours keeping; the Detainer to find ſufficient Water and Provender for each Beaſt ſo ſecured.

V. § 5. All Maſters or Servants may kill Hogs or Goats, after Notice given; Half in Recompence for Damage, and the other Half to the Owner: And the Inhabitants in the Towns may kill all ſuch Swine as ſhall commit Treſpaſſes by getting into Houſes or Backſides.

VI. § 6. Perſons forcibly taking away treſpaſſing Stock out of the Pen or Pound, may be ſued in an Action of Treſpaſs; and if a Slave, he ſhall be puniſhed at the Diſcretion of a Juſtice.

VII. § 7. If any Perſon ſhall commence an Action in a Court of Record againſt the Provoſt-marſhal, or his Deputy, for executing his Office according to this Act, he ſhall plead the General Iſſue, and give the Act in Evidence, which ſhall bar the Action.

N° 10. Veſtries.

I. § 1. ENacted, That the Freeholders and Houſholders of every Pariſh ſhall meet in *Eaſter-week* yearly, and chooſe Six Veſtrymen, who, with the Miniſter, ſhall chooſe Two Church-wardens, the Veſtry One, and the Miniſter the other.

II. § 2. Church-wardens and Veſtry ſhall manage all Pariſh Buſineſs, ſettle Rules, and aſſeſs Rates, and ſettle Fees of the Miniſters, Clerks, and Sextons; alſo build Churches, and perform all other Duties belonging to their Office: Rates by them made, being publiſhed, ſhall be deemed firm; and Perſons refuſing to pay, Execution, under the Hand and Seal of the Governor, to be granted for levying the ſame; and the Goods attached, to be ſold at the Church-yard Gate by the Church-wardens, returning the Overplus to the Owner.

III. § 3. For want of Miniſters in ſome Pariſhes, Church-wardens and Veſtries have not been

been choſen in *Eaſter-week*; but for the future, if a Miniſter be preſented to a Pariſh where there are no Church-wardens or Veſtry, then the next Juſtice ſhall ſummon the Freeholders and Houſholders to elect them, as aforeſaid, till the *Eaſter* following.

IV. § 4, Every Pariſh ſhall have Two Books, One for Pariſh Accounts, the other for a Regiſter of Marriages, Births, and Burials: And the Church-wardens ſhall balance Accounts with the Veſtry, when diſcharged their Office.

V. § 5. No Perſon ſhall be compelled to ſerve Church-warden longer than One Year: And Defaults of Church-wardens in neglecting to collect Rates, ſhall be made good by themſelves; provided Execution be lodged in their Hands for that Purpoſe; and in caſe of their Neglect, the ſame ſhall be levied on their Goods.

VI. § 6. Miniſter and Churchwardens, or any of them, may ſummon Veſtries, to conſult about Pariſh Affairs: And all Veſtrymen, or other Officers neglecting to appear, upon Notice given at their Houſes, unleſs excuſed by the Veſtry, ſhall forfeit Twelve Shillings to the Poor; to be levied by a Juſtice's Warrant to a Conſtable.

VII. § 7. Perſons elected for Church-wardens or Veſtrymen, and refuſing to ſerve, ſhall forfeit Twelve Pounds; to be recovered by the Church-wardens in an Action of Debt in a Court of Record, towards defraying Pariſh Charges.

Nº 70. VIII. § 3. VEſtrymen and Church-wardens are to be choſen in each Pariſh yearly, in *Eaſter-week.*

IX. § 4. Who are to manage all Pariſh Buſineſs, to ſettle Rules, aſſeſs Rates, ſettle Salaries, Fees, and Perquiſites of Miniſters, Clerks, and Sextons; erect and repair Churches, *&c.*

X. § 5. Two Juſtices are impowered to levy Pariſh Rates, by Warrant, directed to the Provoſt-marſhal, upon the Goods of the Perſons refuſing to pay, if convicted on hearing.

XI. § 6. But any Perſon over-rated, may in Six Days after the Goods are attached, give Notice to the Church-wardens, and enter into a Recognizance before a Juſtice, to appear at the Court of King's-bench, and juſtify his Appeal, and he ſhall have his Goods returned; but if Judgement go againſt him, he ſhall pay double Coſts.

XII. § 7. If the Provoſt-marſhal neglect his Duty, he ſhall forfeit Five Pounds: And all Fines ſhall be paid to the Church-wardens, for the Uſe of the Pariſh.

XIII. § 8. All former Acts for regulating Veſtries are hereby repealed.

XIV. § 9. If the Pariſhioners ſhall neglect to meet in *Eaſter-week*, to chooſe a new Veſtry, the old one ſhall continue: And if a Miniſter ſhall be preſented to a Pariſh where there are no Church-wardens or Veſtrymen ready choſen, a Juſtice of Peace ſhall ſummon the Freeholders to chooſe a Veſtry and Church-wardens, who ſhall act till the *Eaſter* following.

XV. § 10. Every Pariſh ſhall have Two Books, One for the Pariſh Accounts, the other for a Regiſter of Births, Marriages, and Burials: And the Church-wardens ſhall balance their Accounts with the Veſtry, on Penalty of Fifty Pounds, and deliver their Books fair and intire to their Succeſſors, on Penalty of One hundred Pounds.

XVI. § 11. Church-wardens to lay their Accounts before the Veſtry, when required, on Penalty of Fifty Pounds.

XVII. § 12. No Perſon ſhall be compelled to ſerve Church-warden above a Year; but if he neglect to collect Pariſh Rates, he ſhall pay them himſelf.

XVIII. § 13. Parſons ſhall and may demand a Salary of 16,000 *lb.* weight of Sugar yearly, or more, if before allowed by the Veſtry.

XIX. § 14. If there is no Parſonage-houſe, the Parſon may demand Twenty five Pounds a Year for Rent, provided he reſide in the Pariſh.

XX. § 15 On Default of paying the Parſon his Salary, additional Salary, or Houſe-rent, the Juſtices, by Warrant to the Provoſt marſhal, may ſummon the Church-wardens to ſhew Cauſe why it is not paid; and if it appear to be their Neglect, the Juſtices may by another Warrant levy the ſame on the Church-wardens: And if the Provoſt marſhal neglect his Duty, he ſhall forfeit Twenty Pounds to the Parſon.

XXI § 16. If the Parſon or Church-wardens think themſelves aggrieved by the Juſtices, they may appeal to the King's bench.

XXII. § 17. Miniſter or Church-wardens may ſummon Veſtries; and every Veſtryman neglecting to appear, ſhall forfeit Twenty Shillings; and if he refuſes to pay it, he ſhall be committed to Gaol till he do pay it.

XXIII. § 18. Every Perſon elected Veſtryman or Church-warden, and refuſing to ſerve, forfeits Twelve Pounds to the Pariſh.

XXIV. § 19. Inhabitants neglecting to make a Return of their Land or Slaves, for paying any Pariſh Levy, forfeits Ten Pounds.

XXV. § 20. Perſons ſued for putting this Act in Execution, may plead the General Iſſue, and give the Act in Evidence.

XXVI. § 21. Parſons ſhall regiſter Chriſtnings, Marriages, and Funerals, for Twelve Pence each, on Penalty of Five Pounds for each Neglect; to be deducted out of his Salary, for the Uſe of the Poor.

The following is an ABSTRACT of the ACTS (N° 104, &c.) not come to Hand when the foregoing ABRIDGMENT was printed off.

N° 105. Brimstone-hill. *

I. § 1. PErsons having neglected to build Houses on *Brimstone-hill*, or in other Fortifications, in pursuance of former Acts, this Act provides Relief, and allows the Commander in Chief on the Island for the time being to lay out Lots for any of the Inhabitants of the Island to build Houses on, and to hold the same for ever at a Pepper Corn Rent.

II. § 2. Provided none have more than 24 Foot in Front, nor above 60 Foot deep, to be built with Stone or boarded, and with shingled or tiled Roofs, not thatched; and built within Three Years from the Date of the Act.

III. § 3. Provided that none but Inhabitants or Freeholders on the Island shall be allowed to build such Houses.

* *Vide more under this Head in p.* 171, *&c.*

N° 110. Courts. †

I. § 1. WHEN any Suit is brought into Court, and there are Demands and Credits between the Plaintiff and Defendant depending, the Defendant may plead the General Issue, and deliver his Account against the Plaintiff, which Account, on due Proof thereof, shall be allowed against the Demand of the Plaintiff, and Judgement shall be awarded for the Plaintiff or Defendant as the Balance shall be found due on either Side, with Costs of Suit.

II. § 2. If the Defendant neglect to deliver to the Plaintiff his Plea and Account against the Plaintiff in 14 Days before the second Court next after the Entry of Action, then he shall not be admitted to deliver or plead it on Trial against the Plaintiff.

† *Vide more under this Head in p.* 172, *&c.*

N° 112. Court Merchant.

I. § 1. UPON any Person's arriving in the Island, and making Oath of his designing to depart the Island, and that the Goods sold, for which he desires a Court may be called, in order to recover his Debt, do not belong to any Person resident in the Island, the Judge shall call a Court in Four Days, and publish it, and the Plaintiff shall file a Declaration, and annex it to the Writ of Summons to be served on the Defendant Two Days before Court; and if the Defendant make Default of Appearance, or joining of Issue, or pleading some good Matter in bar, Abatement, or Demurr, Judgement shall be entered against the Defendant; but if the Defendant join Issue, plead, or demurr, then a Day shall be given for Trial, and Proceedings shall be had as directed in the Act.

II. § 2. If any Person continue above Six Months together upon the Island, he shall be deemed a Resident, and not allowed the Benefit of this Act.

III. § 3. When Goods of the Produce of the Island are taken in Execution, they shall be appraised in the Manner prescribed in this Act, and then delivered to the Plaintiff in Payment of his Debt, returning the Overplus, if any, to the Defendant.

IV. § 4. If any Appraisers or Umpires duly appointed, refuse to act, they shall forfeit Twenty Pounds, and others shall be appointed in their Room, who shall be under the same Penalties.

V. § 5. Merchantable Commodities of the Produce of the Island brought to a legal paying Place, and Four Days Notice given, shall be a good Tender, provided the Price be approved by the Jury that tries the Cause.

VI. § 6. The Chief Justice, *&c.* may hold a Court, and try all Actions for Merchandizes, not above One hundred Pounds, which shall be prosecuted by a Transient Person against a Resident, *et per contra.*

VII. § 7. The same Fees shall be taken as by the old Docket, except on Trials by Jury, and then the Plaintiff shall lay down Forty two Shillings for the Jury, and shall be allowed it in his Costs.

VIII. § 8 If a Resident call a Court to prosecute a Transient Person, he shall not be obliged to take the Oath as a Transient Person is when Plaintiff, but may oblige a Transient Person to give Bail, and such Plaintiff shall file his Declaration Two Days before Court, and shall not be obliged to any other Service.

IX. § 9. All Trials not above Ten Pounds shall be determined without a Jury; and no more Fees taken than for Complaints in the Courts of King's Bench and Common Pleas.

X. § 10.

X. § 10. All Courts Merchant called by virtue of this Act ſhall be held in the Town neareſt to the Defendant.

XI § 11. The Court ſhall be a Court of Record: And Jurors making Default of Appearance may be fined, not above Forty Shillings.

N° 108. Hawking. *

I. § 1. & 2. NO Perſon ſhall be allowed to hawk Goods for Sale in any Part of the Iſland, on Penalty of One hundred Pounds, and Loſs of the Goods expoſed to Sale.

II. § 3. Any Perſon may apprehend and carry before a Juſtice any white Perſon or Slave found hawking of Goods; and the Juſtice ſhall ſummon any Perſon ſuſpected to be the Owner of ſuch Goods, or to be capable of diſcovering who is the Owner, and on Conviction the Goods ſhall be forfeited to the Informer, and the Offender forfeits One hundred Pounds.

III. § 4. Poor Perſons convicted, and not able to pay the Fine, ſhall lie in Gaol Six Months; and if the Owner of the Goods be not diſcovered, then only the Goods ſhall be forfeited to the Seizer.

IV. § 5. All Money ariſing by the Forfeitures on this Act ſhall be for the Uſe of the Iſland.

V. § 7. This Act ſhall not hinder the hawking of Proviſions, or other Produce of the Iſland.

* *Vide more relating to Hawking in p.* 178.

N° 111. Highways. †

I. § 1. THE forementioned Act, N° 14, is repealed by this Act.

II. § 2. Two Juſtices of Peace ſhall meet in *January* yearly, and appoint in each Pariſh Two Waywardens, who ſhall take the Office upon them, and in Ten Days take the Oath preſcribed in the Act.

III. § 3. Every Juſtice neglecting his Duty, ſhall forfeit Twenty Pounds.

IV. § 4. Waywardens neglecting ſhall forfeit alſo Twenty Pounds, and another ſhall be appointed, who for Neglect ſhall alſo forfeit Twenty Pounds.

V. § 5. No Perſon ſhall be obliged to ſerve Waywarden twice, if there be other Pariſhioners qualified, who have not ſerved the Office once, or fined for it. Perſons aggrieved may appeal to the Governor and Council.

VI. § 6. If a Waywarden die or leave the Pariſh, or by any other Means a Waywarden is wanted, then Two Juſtices ſhall appoint another Perſon to ſerve that Office (until new ones are choſe as uſual) under the ſame Penalties.

VII. § 7. Waywardens in Ten Days after ſworn in, and in Three Days after great Rains, ſhall order the Conſtables to ſummon the Inhabitants to ſend a Proportion of Slaves to work on ſuch Highways as the Waywardens ſhall direct; and Juſtices ſhall deliver Liſts of Slaves to the Surveyors.

VIII. § 8. Every Perſon ſummoned (except Women) ſhall attend in Perſon with their Slaves, or ſend a white Driver, to mend the Highways; and the Slaves ſhall carry Tools with them.

IX. § 9. Perſons ſummoned to mend Highways ſhall have 36 Hours Notice; and if they neglect they ſhall forfeit Six Shillings a Day for a white Perſon, and Three Shillings a Day for a Slave.

X. § 10. Owners of no more than Four Slaves ſhall attend themſelves without Slaves.

XI. § 11. Liſts of Defaulters are to be ſent to the Governor and Council; and the Proveſt-marſhal by the Governor's Warrant ſhall levy the Fines: And Negroes ſummoned ſhall continue working till all the Highways are finiſhed.

XII. § 12. Waywardens ſhall make Drains or Sluices for carrying off Water: Warwardens may appoint neighbour Planters to mend ſmall Faults in Highways, and abate them in Proportion in general Repairs.

XIII. § 13. Highways become impaired may be turned through adjacent Lands, and the Damages appraiſed, and paid for by the Publick.

XIV. § 14. Slaves killed or damaged by working on the Highways, ſhall be appraiſed, and paid for by the Publick.

XV. § 15. The lower Highway ſhall be 20 Foot wide, the upper 12 Foot, where practicable, and where not, it ſhall be kept to its old Breadth; and all other Highways ſhall be kept amended to their uſual Breadth: And none to be deemed Highways but what had been uſed within Seven Years before the Date of the Act: And all Highways ſhall be kept to the before mentioned Extents.

XVI. § 16. A certain Path herein deſcribed ſhall remain as allowed by the Commiſſioners for the Sale of the *French* Lands.

XVII. § 17. Perſons encroaching on Highways with their Fences, or not trimming their Fences, ſo as to prevent Nuſances, or that ſhall cauſe Nuſances in the Highways, the Surveyors ſhall give them Notice thereof, and if the Nuſance be not removed in 14 Days, the Defaulter ſhall forfeit Ten Pounds; and the Surveyors ſhall amend it the next general Repair, and lay ſuch Fences waſte that the Path may be of its juſt Breadth.

XVIII. § 18. If Two Owners of Land join to one Highway where a Fault is, the Neighbours ſhall judge who is in Fault, and liable to the Penalty.

XIX. § 19. Perſons feeding Cattle in Highways, ſhall forfeit Three Shillings *per* Head.

XX. § 20. The Highway through the Mountains ſhall be Eight Foot wide, and ſhall be re-

paired by the Pariſhes of *Nichola Town*, and St. *Thomas Middle Iſland*.

XXI. § 21. The Waywardens may agree with the Planter who is in the Poſſeſſion of the Plantations through which the laſt mentioned Highways paſs, to repair the ſame.

XXII. § 20. Where any Perſon wants a Path through another's Land, he ſhall have it upon paying Damage at an appraiſed Value, ſet by the Waywardens and Two Freeholders.

XXIII. § 23. Provided no Perſon ſhall have Two private Paths through another's Land at the ſame Time.

XXIV. § 24. Conſtables neglecting their Duty, or Perſons obſtructing them or the Waywardens, ſhall forfeit Five Pounds.

XXT. § 25. All Paths to Rivers ſhall be kept open Six Foot wide; and any Perſon ſtopping ſuch Paths, ſhall forfeit Five Shillings; but not to extend to Perſons who have a real Property in any River.

XXVI. § 26. Every Perſon throwing Dung or Filth, or making Sinks in the Streets of any of the Towns of the Iſland, and not removing the ſame on Notice given, ſhall forfeit Five Pounds.

XXVII. § 27. Every Perſon cutting down Woods within 40 Yards of Springs or Heads of Rivers, ſhall forfeit Ten Pounds. And if any Waywarden neglect his Duty by ſuffering the Roads to lie unrepaired, he ſhall be proceeded againſt at Quarter Seſſions according to the Diſcretion of the Court.

XXVIII. § 28. All Fines ariſing by this Act, and not otherwiſe diſpoſed of, ſhall be to the Uſe of the Pariſh where the Offence is committed: And where Money is wanting to repair the Highways, the Waywardens are to pay it, and ſhall be reimburſed by the Pariſh. And if any Perſon is ſued for any thing done by virtue of this Act, he may plead the General Iſſue; and if Judgement go for him, the Plaintiff ſhall pay Treble Coſts of Suit.

XXIX. § 29. This Act ſhall be eſteemed a General Act.

XXX. § 30. This Act not in Force until confirmed by the Crown, and then it is to be perpetual.

* *Vide more Highways in p.* 178.

N° 108. Lotteries. †

§ 6. NO Perſon ſhall make or ſet up any Office or Sale of Goods by way of Lot, Ticket, or Chance, or publiſh any Scheme for advancing ſmall Sums of Money by Chances, or procure the ſame to be done, on Penalty of One hundred Pounds.

† *Vide more under this Head in p.* 183.

N° 104. Marriages.

ALL Perſons intending to be married ſhall be Three times called in the Church on Three *Sundays* or Holy-days, or take out a Licence before Marriage, on Penalty of One hundred Pounds upon the Parſon; Half to the Informer, and Half to the Poor.

FINIS.